

URBAN/MUNICIPAL

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By-LAWS FOR THE CITY
OF HAMILTON

92-147-92-198

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-147

TO INCORPORATE 14, PLAN 62R-12134, PART 5,
PLAN 62R-12134, PART 1, PLAN 62R-12134, AND
PART 21, PLAN 62R-12134 INTO HARBOUR FRONT DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Harbour Front Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Harbour Front Drive.

Firstly

Part of Lots 2,3,4,5,7 & 8, Block 33, Part of Lots 2 and 3, block 34, and part of Marsh Street (Closed by City of Hamilton By-Law No. 67283, registered as Inst. 67867 A.B.), designated as Part 14, Plan 62R-12134.

Secondly

Parts of Simcoe Street lying west of Bay Street (Closed by City of Hamilton By-Law 92-133, registered as Inst. No. 119657 (92), designated as Part 5, Plan 62R-12134.

Thirdly

Part of Lots 6,7,8,9,10 and 11, Block 35, designated as Part 1, Plan 62R-12134

All in Registered Plan No. 127, and

Fourthly

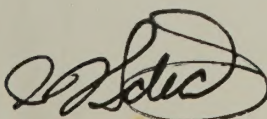
Part of the Water Lot in front of Block 34, designated as Part 21, Plan 62R-12134.

City of Hamilton

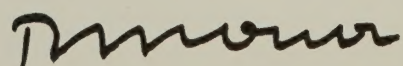
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 30th day of June A.D. 1992.



J. J. Schatz
City Clerk



R. Morrow
Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-148

TO INCORPORATE PART 3, PLAN W.H.R. -89
INTO GREENHILL AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Greenhill Avenue by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Greenhill Avenue.

Parcel 71-4
Section M-3

Part of Lot 71, Plan M-3, designated as Part 3 on Plan W.H.R. -89.

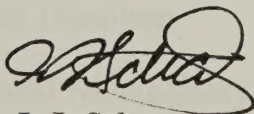
City of Hamilton

Regional Municipality of Hamilton-Wentworth

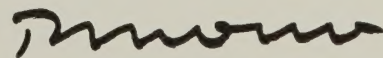
Being part of the Parcel.

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 30th day of June A.D. 1992.



J. J. Schatz
City Clerk



R. Morrow
Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-149

TO INCORPORATE PARTS 1 TO 11 (incl.), & PARTS 26,
27 & 28, PLAN 62R-12060, PARTS 12,13,14, PLAN
62R-12060, PARTS 15,16,17, PLAN 62R-12060 AND
PART 29, PLAN 62R-12060 INTO CHEDMAC DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Chedmac Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Chedmac Drive.

Firstly

Parts of Lot 57, Concession 2, designated as Parts 1 to 11 (inclusive) and Parts 26, 27 and 28, Plan 62R-12060,

Secondly

Parts of Lots 56 and 57, Concession 2, designated as Parts 12,13 and 14, Plan 62R-12060,

Thirdly

Parts of Lot 56, Concession 2, designated as Parts 15,16 and 17, Plan 62R-12060, and

Fourthly

Part of Lots 238, 239, 240 and 241, Registered Plan No. 575 and part of Lot 57, Concession 2, designated as Part 29, Plan 62R-12060.

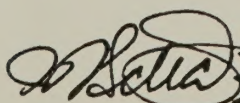
All in the former geographic Township of Ancaster

City of Hamilton

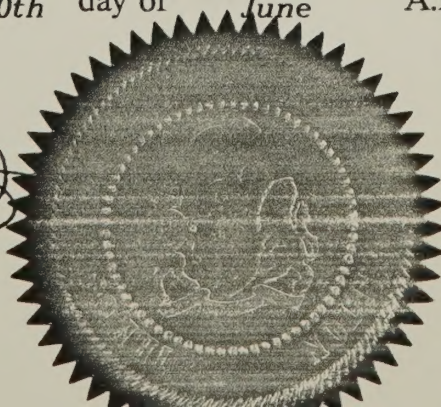
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 30th day of June A.D. 1992.



J. J. Schatz
City Clerk



R. Morrow
Mayor

THE CONSTITUTION OF THE UNITED STATES

Article I

SECTION 1
All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION 2
The House of Representatives shall be composed of Members chosen every second Year by the People of the several States; and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

SECTION 3
The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for a Term of six Years; and each Senator shall have the Qualifications requisite for Senators of the most numerous Branch of the State Legislature.

SECTION 4
The Times, Places and Manner of holding the Elections of Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law alter or add to the Rules and Regulations of the foregoing Elections.

SECTION 5
The Congress shall determine the Rules of the Proceedings of the Senate and House of Representatives, and may punish for Contempt either Branch, and may adjourn from time to time, and may compel the Attendance of absent Members, in each Branch respectively, and may punish their Refusal.

SECTION 6
The Senators and Representatives shall receive a Compensation for their Services, which shall be ascertained from Time to Time by the Congress.

SECTION 7

SECTION 8
The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

SECTION 9

SECTION 10
No State shall enter into any Treaty, Alliance or Confederation; nor shall any State enter into any Agreement or Compact with another State, or with a foreign Power, or with the Indians; but the Congress may enter into any such Treaty, Alliance or Confederation, and may enter into any Agreement or Compact with another State, or with a foreign Power, or with the Indians.

SECTION 11

SECTION 12
The Congress shall have Power to coin Money, to regulate the Value thereof, and the Coinage; to borrow Money on the Credit of the United States; to fix the Standard of Weights and Measures; to coin Money, to regulate the Value thereof, and the Coinage; to borrow Money on the Credit of the United States; to fix the Standard of Weights and Measures.

SECTION 13

SECTION 14
The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Inheritance.

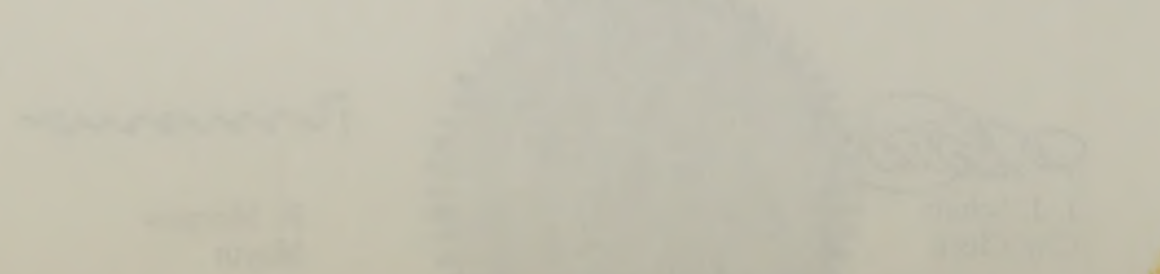
SECTION 15

SECTION 16

SECTION 17

SECTION 18
The Congress shall have Power to make and enforce Laws, which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

SECTION 19



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92- 150

TO INCORPORATE PART 2, PLAN 62R-11979
INTO MILLWOOD PLACE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Millwood Place by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Millwood Place.

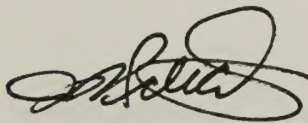
Part of Lot 11, Concession 6, (former geographic Township of Barton) and Reserve "B", Registered Plan No. 1209, designated as Part 2, Plan 62R-11979.

City of Hamilton

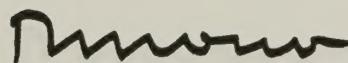
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 30th day of June A.D. 1992.



J. J. Schatz
City Clerk



R. Morrow
Mayor

THE COMMISSIONER OF THE DISTRICT OF COLUMBIA

OFFICE OF THE COMMISSIONER

WASHINGTON, D.C. 20541

WHEREAS the Commission has received a request from the District of Columbia Department of the Environment and Planning for a study of the impact of the proposed development on the environment and the health and safety of the community;

AND WHEREAS the Commission has received a request from the District of Columbia Department of the Environment and Planning for a study of the impact of the proposed development on the environment and the health and safety of the community;

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AND WHEREAS the Commission has received a request from the District of Columbia Department of the Environment and Planning for a study of the impact of the proposed development on the environment and the health and safety of the community;

AND WHEREAS the Commission has received a request from the District of Columbia Department of the Environment and Planning for a study of the impact of the proposed development on the environment and the health and safety of the community;

Very truly yours,

Commissioner of the District of Columbia

For a statement of the Commission's findings and recommendations, see the report of the Commission on the impact of the proposed development on the environment and the health and safety of the community, dated 1/15/77.

Respectfully,
Date: 1/15/77

[Signature]

E. Brown
Chair

[Signature]

J. E. Brown
Chair



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-151

**TO INCORPORATE PART 4, PLAN 62R-11979
INTO PUBLIC WALKWAY**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as public walkway by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of public walkway.

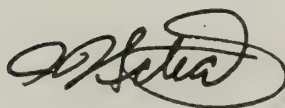
Part of Lot 11, Concession 6, (former geographic Township of Barton) designated as Part 4, Plan 62R-11979.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this *30th* day of *June* A.D. 1992.



J. J. Schatz
City Clerk



R. Morrow
Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-152

TO INCORPORATE PARTS 2,3,6,8,10,12,14,17 & 20,
PLAN 62R11054 AND PARTS 3 & 5, PLAN 62R-11929
INTO FIELDWAY DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Fieldway Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Fieldway Drive.

Part of Lot 11, Concession 6, (former geographic Township of Barton) designated as Parts 2,3,6,8,10,12,14,17 and 20, Plan 62R-11054 and Parts 3 and 5, Plan 62R-11929.

City of Hamilton

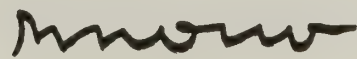
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 30th day of June A.D. 1992.



J. J. Schatz
City Clerk



R. Morrow
Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-153

TO INCORPORATE PART 14, PLAN 62R-9499
INTO DONN AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Donn Avenue by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Donn Avenue.

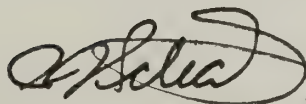
Part of Lot 24, Concession 2, (former geographic Township of Saltfleet), designated as Part 14 on Plan 62R-9499.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this *30th* day of *June* A.D. 1992.



J. J. Schatz
City Clerk



R. Morrow
Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92- 154

TO INCORPORATE PARTS 28 & 1, PLAN 62R-11096
AND PART 13, PLAN 62R-11096 INTO ACADIA DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Acadia Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Acadia Drive.

Firstly

Part of Lots 3 and 4, Registered Plan No. 909, designated as Parts 28 and 1 (respectively), Plan 62R-11096, and

Secondly

Part of Lot 9, Concession 8, (in the former geographic Township of Barton), designated as Part 13, Plan 62R-11096.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 30th day of June A.D. 1992.



J. J. Schatz
City Clerk



R. Morrow
Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 92-155

Respecting:

TREES

Preamble

WHEREAS the City of Hamilton, pursuant to paragraph 52 of Section 207 of the Municipal Act, R.S.O. 1990, Chapter M.45, may by by-law exercise any of the powers that are conferred on boards of park management by the Public Parks Act, R.S.O. 1990, Chapter P.46, following dissolution of the Board of Park Management on December 31, 1973, pursuant to Section 136 of the Regional Municipality of Hamilton-Wentworth Act, 1973;

AND WHEREAS the City, pursuant to subsection 3(1) of the Public Parks Act, R.S.O. 1990, Chapter P.46, has the general management, regulation and control of existing parks and is empowered under subsection 11(1) of the Act to pass by-laws for the use, regulation, protection and government of parks;

AND WHEREAS the City, pursuant to paragraph 58 of Section 207 of the Municipal Act may by by-law maintain, operate or manage parks;

AND WHEREAS the City, pursuant to section 312 of the Municipal Act may pass by-laws respecting trees growing on highways.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

Definitions

1. (a) "City" means the City of Hamilton;
- (b) "Director" means the Director of Public Works of the City;
- (c) "drip line" means the outer boundary of an area on the surface of the ground that corresponds to the outer edge of the crown of the tree;
- (d) "owner" includes tenant, occupant, or person apparently in control of the premises but does not include the City or a Local Board;
- (e) "person" includes individual, contractor, corporation, commission, firm, partnership or organization of any kind, or their employee or agents but does not include the Director;
- (f) "private property" means land other than public property;
- (g) "private tree" means any tree which has more than 50 percent of its trunk diameter measured at diameter breast height on private property;

- (h) "public assumed alley" means a lane or alley paved by the City under the Local Improvement Act, or assumed by by-law;
- (i) "public property" includes a highway, park, public unassumed alley, or any other public place or land owned by or leased to or controlled by or vested in the City or local board;
- (j) "public tree" means a tree which has more than 50 percent of its trunk diameter measured at diameter breast height on public property;
- (k) "tree" includes all woody vegetation.

Prohibited
Species

2. No tree of the species listed in Schedule "A" hereto annexed shall be planted upon public property unless authorized by the Director.

Planting
Public
Property

3. (1) Any person may, with the consent of the Director, plant a shade or ornamental tree on public property.

(2) Any tree planted in accordance with subsection 3(1) is the property of the City and is deemed to be a public tree and is subject to all terms and conditions as set out in this by-law.

Request For
Public Tree
Planting

4. (1) The City may, upon request of the owner, plant shade or ornamental trees on public property adjacent to the property of the owner of the private property.

(2) Any tree planted in accordance with subsection 4(1) is planted at the City's expense.

(3) Any tree planted in accordance with subsection 4(1) is the property of the City and is a public tree.

Removal of
Public Trees

5. (1) The Director may authorize the removal of any public tree when it is considered necessary in the public interest.

Public
Interest

(2) For the purpose of subsection 5(1), "necessary in the public interest" includes removal for one or more of the following reasons:

- (i) A tree is decayed in whole or in part.
- (ii) A tree that presents a hazard or potential hazard in whole or in part to persons or property.
- (iii) A tree that is diseased or is a source of disease.
- (iv) A tree that is a source of any causal organism or a disease which may endanger the health of any plants.

Notice Of
Removal

6. (1) Except as provided in subsection 6(2), no public tree growing on a highway shall be removed without prior notification being given to the abutting property owner.

(2) Notification of public tree removal may be waived by the Director in an emergency situation where a public tree endangers public health, or public or private property.

(3) The Notice required to be given by subsection 6(1), may be given by leaving it with a person who appears to be over 18 years of age residing on the land or if personal contact is not possible, by posting it in a conspicuous place on the land.

Removal Of
Public Tree

7. (1) The Director must have City Council approval to authorize the removal of any public tree, except:

- (i) in an emergency situation where a public tree endangers public health or public or private properties or,
- (ii) where the removal of a public tree is necessary in the public interest as defined in section 5(2).

City Council
Approval

(2) City Council may only under exceptional circumstances, approve the removal of a healthy public tree which is not causing any damage to public or private property.

Additional
Costs

(3) The Director may determine the location and tree species of the replacement tree for the tree removed under subsection (2).

Prohibitions
Against Injury
Or Destruction

8. No person shall, without prior written consent of the Director,

- (i) Remove, prune, disturb, cut above or below ground, or alter in any way on public property, a public tree;
- (ii) Deposit, place, store or maintain on public property any stone, brick, sand, concrete, soil or any material or equipment that may impede the free passage of water, air or nutrients to the roots of a public tree;
- (iii) Fasten any sign, bill, notice, wire, rope, nail or other object to, around or through any public tree in any manner; or around or through the stakes, posts that protect any such tree;
- (iv) Cause or permit any gaseous liquid or solid substance which is harmful or toxic to any public tree, to come in contact with any public tree on public property;
- (v) Set fire to or permit any fire to burn where such fire or the heat thereof will injure any portion of any public trees;
- (vi) Interfere with fences, boxes or other protective devices placed around any public tree;

- (vii) Alter or change soil levels on public property in the vicinity of any public tree in a manner likely to cause injury to the tree;
- (viii) Excavate any ditch, tunnel, trench, or lay any walkway or driveway on public property within the drip line of a public tree;
- (ix) Cause or permit or perform any excavation or soil disturbance or compaction on public property within the drip line of any public tree.

Permit
Required

9. (1) A person who intends to do or cause to be done any construction or excavation that may, or is likely to injure a public tree, shall obtain a permit from the Director and shall also deposit the sum of \$200.00. The deposit shall be returned to the applicant if the tree is not injured or damaged, otherwise, the deposit shall be retained by the City and such person shall pay any additional costs for repairing the tree or removing and replacing the tree if the tree is damaged beyond repair.

(2) After receiving any required City or Regional Municipality of Hamilton-Wentworth approval(s) under the Building Code Act, or any other Act, or any by-law, any person who intends to construct or cause to be constructed a walkway, driveway, building or structure within the dripline of a public tree on public property, shall obtain a permit from the Director and shall also deposit the sum of \$200.00. The deposit shall be returned to the applicant if the tree is not injured or damaged, otherwise, the deposit shall be retained by the City and such person shall pay any additional costs for repairing the tree or removing and replacing the tree if the tree is damaged beyond repair.

(3) Any person constructing, excavating or demolishing on public or private property within the dripline of a public tree, shall follow the instructions given by the Director to preserve and protect the public trees.

Removal of a
Public Tree

10. (1) Any person wanting to have a public tree on public property removed, shall apply to the Director for a removal permit and shall also deposit the sum of \$200.00.

(2) If the permit is granted by City Council under section 7, the person applying for the permit shall pay the City the cost of removing the tree plus the cash value of the tree as established by the Ontario Shade Tree Council and the International Society of Aboriculture-Canada Inc.

(3) When the applicant has,

- (i) paid the City the cost of removing and replacing the tree, and

- (ii) restored the City property to a condition similar to the condition of the property before the excavation or construction was commenced,

the City shall return the deposit to the applicant.

(4) Any person removing or causing a public tree on public property to be removed without a written permit shall pay the City the full replacement value of the tree removed.

Replacement Of Damaged Tree

11. (1) A person who damages or injures a tree on public property shall report such damage or injury to the Director and shall pay to the City the cost of repairing the tree or if the tree is damaged beyond repair shall pay to the City the cost of removing the tree and the full replacement value of the tree. The Director shall determine whether the tree can be repaired or is damaged beyond repair.

(2) Where City Council approves the removal of a healthy public tree under section 7 of this by-law, the person requesting the removal of the tree shall pay the cost of removing the tree plus the cash value of the tree as established by the Ontario Shade Tree Council and the International Society of Arboriculture - Canada Inc.

Additional Authority Of Director

12. In addition to the authority otherwise provided in this by-law, the Director is authorized to perform the following duties:

- (i) Supervise the planting, care and maintenance of trees on public property.
- (ii) Supervise the trimming of trees planted,
 - a. upon public property; or
 - b. upon private property where the branches extend over public property.
- (iii) Remove public trees in the public interest.
- (iv) Administer and enforce this by-law.

Consent Of Director

13. (1) Where consent of the Director is required under section 8, any person may apply in writing to the Director for consent setting out the purpose for which the consent is required, the details of actions proposed, the expected results of such actions and such other matters as the Director may specify at the time the application is made.

Ibid.

(2) The Director may consent, or consent upon condition or refuse to consent or withdraw his consent.

No Obligation
Of Director

14. Where consent of the Director is required under section 8, nothing in the by-law obligates the Director to give such consent or continue such consent.

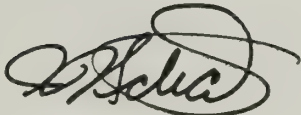
Penalty

15. Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to the fine specified in Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

Repeal:

16. Section 5 of By-law No. 86-77 is repealed.

PASSED this 30th day of June A.D. 1992.



City Clerk



Mayor

(1992) 7 R.T.E.C. 63 June 30



SCHEDULE "A"

To

By-law No. 92-155

List of Prohibited Species
(referred to in Section 2)

1. *Acer negundo* - Manitoba Maple.
2. *Acer saccharinum* - Silver Maple.
3. *Malus* - Apple: fruiting varieties.
4. *Populus L.* - Poplar species.
5. *Prunus* - Cherry: fruiting varieties.
6. *Pyrus* - Pear: fruiting varieties.
7. *Salix L.* - Willow species.
8. *Ulmus parvifolia* - Chinese Elm.

BY-LAW NO. 92 - 156

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting **Section 5(8)** in its entirety and by substituting therefore the following:-

"5(8) Notwithstanding subsection 1 of section 5, the director of traffic services is authorized to temporarily remove traffic signs and other traffic control devices and to install temporary traffic signs and other traffic control devices to accommodate traffic demands during construction or reconstruction of public highways, or public utilities, or services located therein."

2. **Schedule 24 (Parking Meter Locations)** is hereby amended by deleting from **Section 2 (Two Hour Limit)** the following item, namely:-

"Haymarket	Both	Hughson to John".
------------	------	-------------------

and by adding thereto the following item, namely:-

"Haymarket	North	Hughson to John"
------------	-------	------------------

3. **Schedule 25A (Parking Time Limits)** is hereby amended:

a) by adding to **Section 5 (One Hour Limit)** the following item, namely:-

"Augusta	Both	Catharine to Walnut"
----------	------	----------------------

b) by adding to **Section 18 (One Hour Limit)** the following item, namely:-

"Cathcart	East	Kelly to Cannon".
-----------	------	-------------------

4. **Schedule 25B (Parking Time Limits)** is hereby amended by adding to **Section 4 (One Hour Limit)** the following item, namely:-

"Tisdale	Both	Main to Erie
Elgin	Parking Bay on west side	commencing at a point 28 feet
		north of Wilson to a point 92 feet
		northerly therefrom".

5. **Schedule 26 (No Parking Areas)** is hereby amended:

a) by adding to **Section A (No Parking Anytime)** the following items, namely:-

"Haymarket	South	Hughson to 60 feet east
Elgin	East	Cannon to 76 feet south
Fairview	East	Cannon to King".

b) by deleting from **Section C (No Parking, 7:00 a.m. to 6:00 p.m.)** the following item, namely:-

"Orphir	Both	Pottruff to Rainbow".
---------	------	-----------------------

and by adding thereto the following items, namely:-

"Orphir	North	Pottruff to Rainbow
Orphir	South	Gailmont to Rainbow".

6. **Schedule 26A (No Parking Areas)** is hereby amended by deleting from **Section H (No Parking, 9:00 a.m. to 5:00 p.m.)** the following item, namely:-

"Undercliffe	East	Aberdeen to Inglewood".
--------------	------	-------------------------

and by adding thereto the following item, namely:-

"Undercliffe	East	from a point 147 south of Aberdeen to Inglewood".
--------------	------	--

7. **Schedule 9 (Through Highways)** is hereby amended by deleting therefrom the following item, namely:-

"Young Street, from the easterly limit of James Street to the westerly limit of Victoria Avenue, except at the intersection of John Street.

and by adding thereto the following items, namely:-

"Young Street from the easterly limit of James Street to the westerly limit of John Street".

Young Street, from the westerly limit of Ferguson Avenue to the westerly limit of Victoria Avenue.

8. **Schedule 26B (No Parking Areas)** is hereby amended by adding thereto the following items, namely:-

"Young	South	John to Ferguson	2nd Tuesday each month 8:00 a.m. - 12:00 noon
Young	North	John to Ferguson	2nd Wednesday each month 8:00 a.m. - 12:00 noon".

9. **Schedule 27 (Alternate Side Parking)** is hereby amended by deleting therefrom the following item, namely:-

"Fairview Avenue	East	West".
King Street East to Cannon Street East		

10. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following items, namely:-

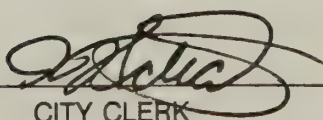
"Elgin	West	commencing at a point 51 feet south of Cannon to a point 60 feet southerly therefrom	Anytime
Peter	North	commencing at a point 316 feet west of Queen to a point 40 feet westerly therefrom	Anytime
Fullerton	West	commencing at a point 133 feet south of Princess to a point 20 feet southerly therefrom	Anytime

Wood	South	commencing at a point 133 feet east of Ferguson to a point 48 feet easterly therefrom	Anytime
Somerset	South	commencing at a point 165 feet west of Barnesdale to a point 25 feet westerly therefrom	Anytime
Locke	West	commencing at the north end to a point 30 feet south	Anytime
Ferguson	West	commencing at a point 184 feet north of Ferrie to a point 27 feet northerly therefrom	Anytime
Clinton	North	commencing at a point 161 feet east of Barnesdale to a point 22 feet easterly therefrom	Anytime
Greig	West	commencing at a point 276 feet south of Barton to a point 22 feet southerly therefrom	Anytime
Leeming	East	commencing at a point 388 feet north of Cannon to a point 20 feet northerly therefrom	Anytime
Leeming	West	commencing at a point 418 feet north of Cannon to a point 19 feet northerly therefrom	Anytime
Dunsmure	North	commencing at a point 96 feet east of Park Row to a point 19 feet easterly therefrom	Anytime
Dunsmure	South	commencing at a point 94 feet east of Park Row and extending to a point 26 feet easterly therefrom	Anytime

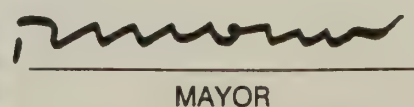
and by deleting therefrom the following items, namely:-

"Peter	North	commencing at point 294 ft. west of Queen to a point 62 ft. westerly therefrom	Anytime
East 27th	East	commencing at a point 30 feet north of Mohawk to a point 19 feet northerly therefrom	Anytime
East 27th	West	commencing at a point 31 feet north of Mohawk to a point 20 feet northerly therefrom	Anytime
Nightingale	South	commencing 172 feet east of the east curb line of Steven to a point 20 feet easterly	Anytime
Nightingale	North	commencing 167 feet east of the east curb line of Steven to a point 20 feet easterly	Anytime".

PASSED THIS 30th DAY OF June , A.D. 19 92


CITY CLERK




MAYOR

BY-LAW NO. 92 - 157

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersection)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Webber	Eastbound	East
Gretna	Northbound	Cranbrook
Broughton	Eastbound and Westbound	Ashridge
Rexford	Eastbound and Westbound	Robson (east leg)
Rexford	Eastbound and Westbound	Robson (west leg)
Trieste	Westbound	DiCenzo
DiCenzo	Northbound and Southbound	Trieste".

2. **Schedule 15 (Designated Traffic Lanes)** is hereby amended by adding thereto the following item, namely:-

"Greenhill	Mount Albion to 100 feet east	North	Anytime	Westerly to Northerly".
------------	----------------------------------	-------	---------	----------------------------

3. **Schedule 16 (No Left Turn at Certain Intersections)** is hereby amended by adding thereto the following item, namely:-

"King	Easterly	Dalewood	Anytime".
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4. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following items, namely:-

"Herkimer	North	commencing at a point 65 feet east of MacNab to a point 66 feet easterly therefrom	Anytime
King William	North	Tisdale to 80 feet west	Anytime
King William	South	Tisdale to 70 feet east	Anytime
Elgin	West	commencing at a point 120 feet north of Wilson to the north end	Anytime".

5. **Schedule 31 (School Bus Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Franklin	South	88 feet	commencing at a point 52 feet west of the west curb line of East 28th	7:00 a.m.- 6:00 p.m. Monday to Saturday".
-----------	-------	---------	---	--

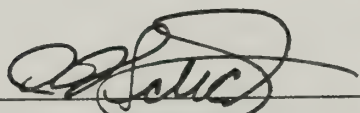
6. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following item, namely:-

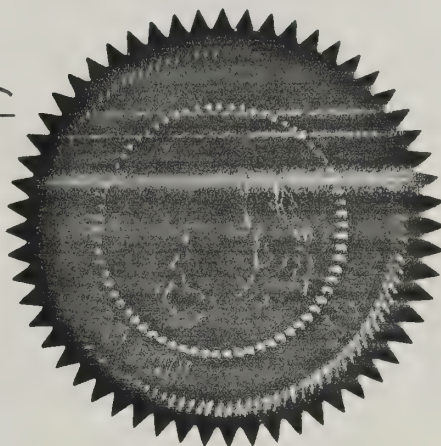
"Gibson	East	25 feet	32 feet north of Wilson	10:00 a.m. to 4:00 p.m. Monday to Friday".
---------	------	---------	-------------------------	---

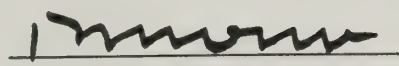
and by deleting therefrom the following item, namely:-

"East 22nd East 25 feet 321 feet north of Fennell 10:00 a.m. - 8:00 p.m.".

PASSED THIS 30th DAY OF June , A.D. 19 92


CITY CLERK




MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 92-158

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED NORTH OF ROCKVIEW AVENUE,
WEST OF THE PROPOSED EXTENSION OF CRERAR DRIVE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

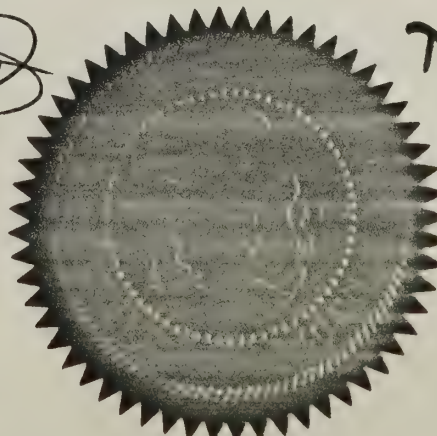
(a) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

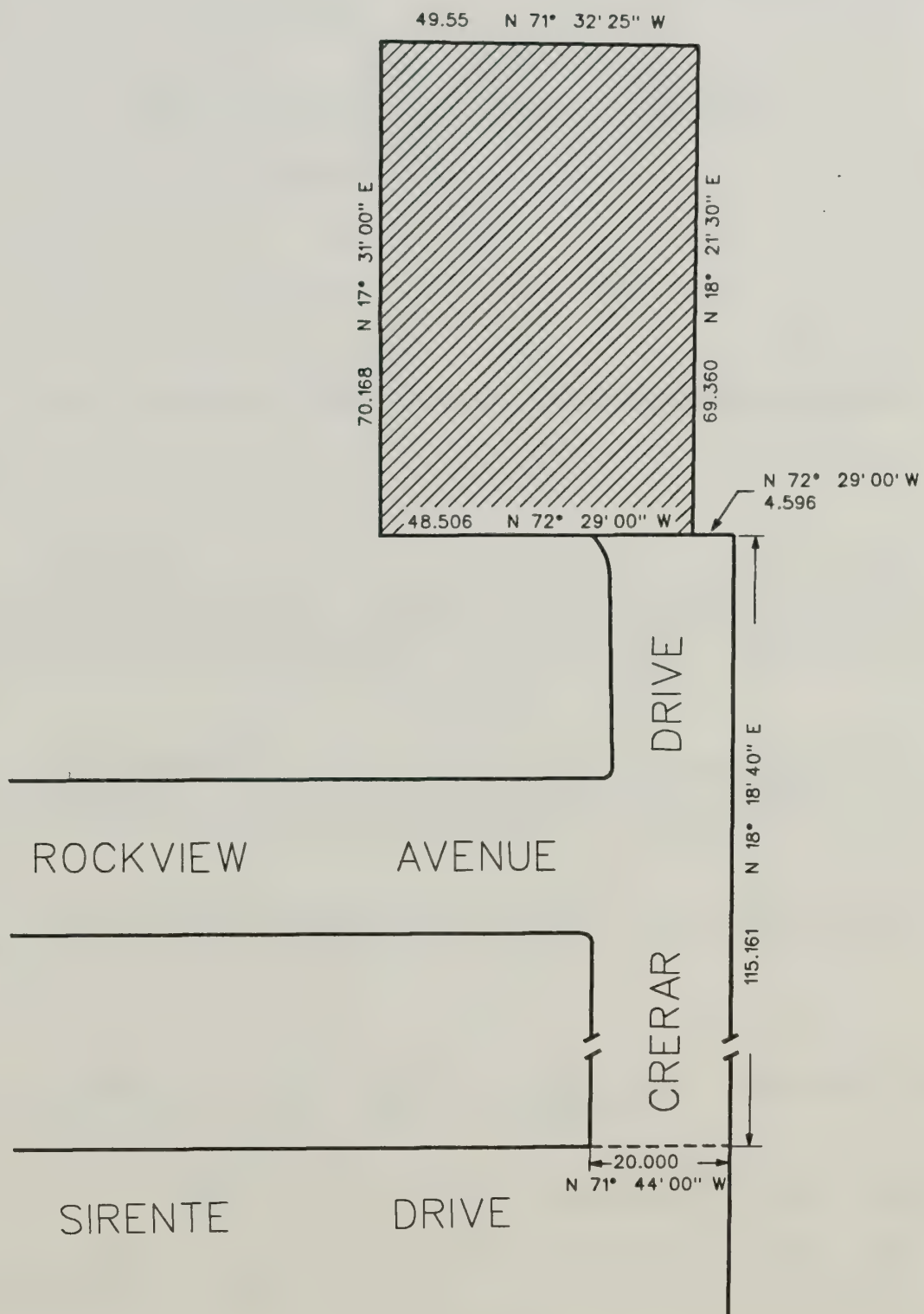
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 30th day of June A.D. 1992.


City Clerk

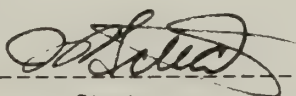


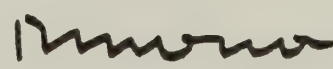

Mayor



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-158
 Passed the 30th day of June, 1992.


 Clerk


 Mayor

City of Hamilton
Schedule A
 Map Forming Part of
 By-Law No. 92-158
 to Amend By-Law No. 6593
 Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend Change in zoning from:  "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District.		
North 	Scale NOT TO SCALE	Reference File No. ZA 91-63
	Date MAY, 1992	Drawn By L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 92- 159

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 50 CHRISTOPHER DRIVE

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

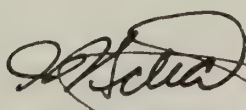
1. Sheet No. W-9E of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

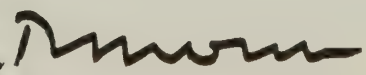
the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 30th day of June A.D. 1992.


City Clerk

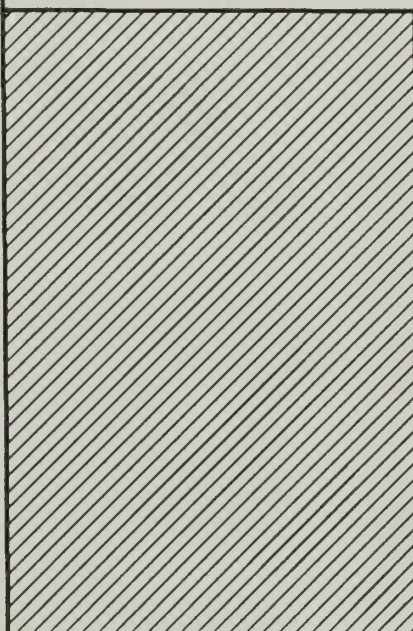



Mayor

CHRISTIE STREET

51.816 N 18° 18' 45" E

30.175 N 71° 28' 15" W



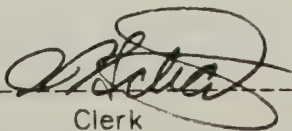
51.816 N 18° 18' 45" E

30.175 N 71° 28' 15" W

CHRISTOPHER DRIVE

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-~~159~~
Passed the 30th day of June, 1992.


Clerk


Mayor

City of Hamilton
Schedule A
Map Forming Part of
By-Law No. 92-159
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

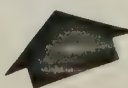
Legend

Change in zoning from:



"AA" (Agricultural) District to
"C" (Urban Protected Residential, etc.) District.

North



Scale
NOT TO SCALE

Date
MAY, 1992

Reference File No.
ZA 92-05

Drawn By
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 92-160

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 90-227

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1492 UPPER JAMES STREET

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-227 on the 31st day of July 1990 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "C" District, in respect of the land located at Municipal No. 1492 Upper James Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, R.S.O. 1990, Chapter P.13;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 7 of the 9th Report of the Planning and Development Committee at its meeting held on the 12th day of May 1992, recommended that Zoning By-law No. 6593, as amended by By-law No. 90-227 be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, as amended by By-law No. 90-227, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) in accordance with Section 39 of the Planning Act, R.S.O. 1990 the buildings or structures existing on the day of the passing of this by-law and the land may be used temporarily for the sale of new and used automobiles for a period not exceeding three years from the day of the passing of this by-law;

- (b) notwithstanding Section 9.(1) of By-law No. 6593, one pylon sign will be permitted on the lot in accordance with the requirements of Section 14A(3)(a) of By-law No. 6593;
- (c) notwithstanding Section 18.(3)(ivc)(b) of By-law No. 6593, a landscaped planting strip not less than 3.0 m in width shall be provided and maintained only along the northerly lot line;
- (d) notwithstanding Section 18.(3)(ivc)(c) of By-law No. 6593, no visual barrier shall be required.

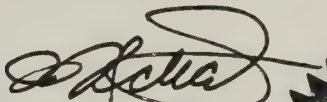
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-939b.

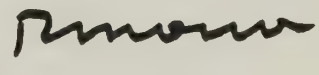
4. Sheet No. W-9D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-939b.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

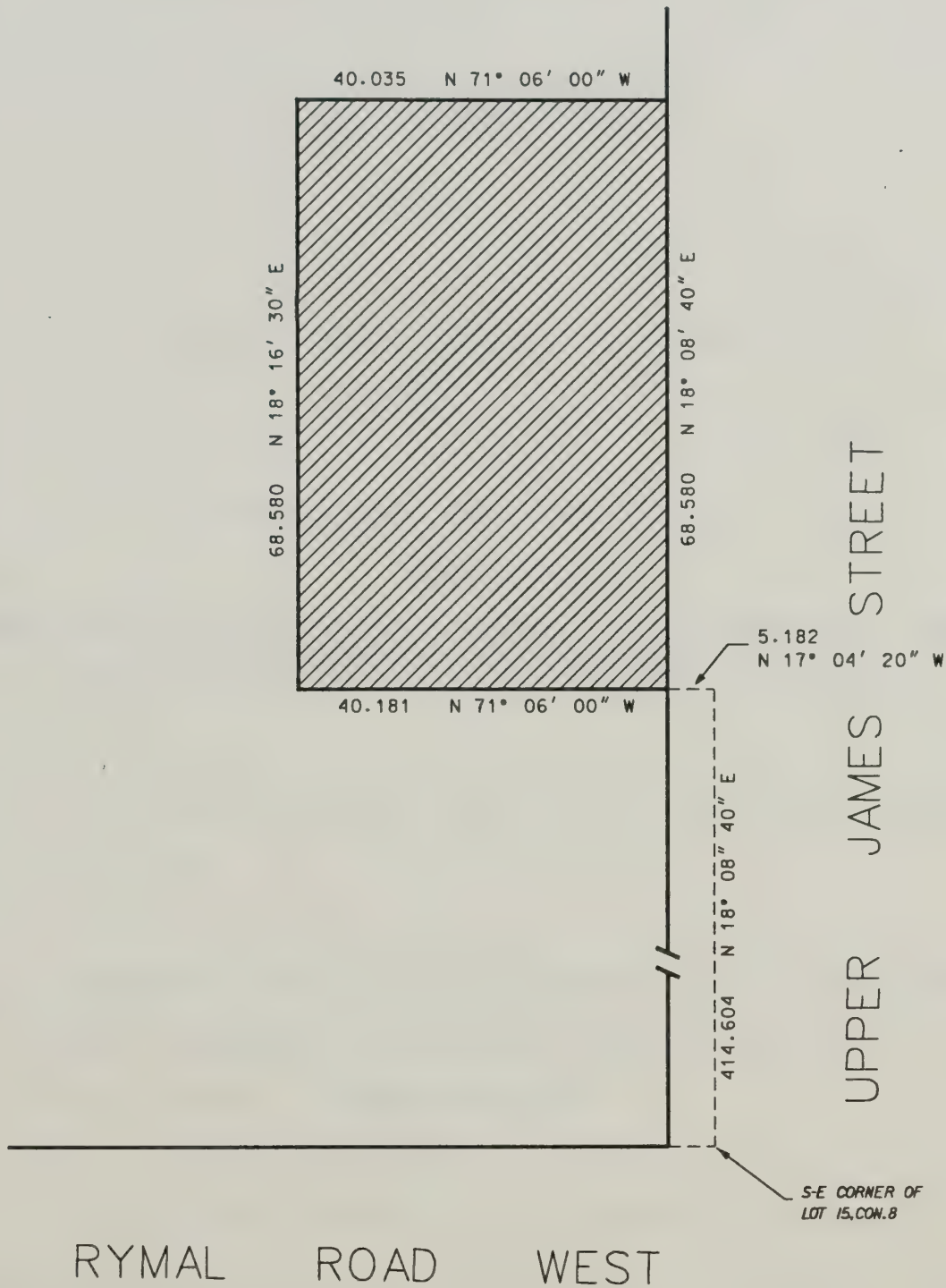
PASSED this 30th day of June A.D. 1992.


City Clerk



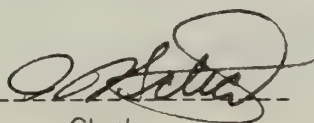

Mayor

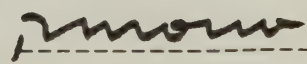
(1992) 9 R.P.D.C. 7, May 12
603815 Ontario Inc.
(Dave Armstrong), Owner
Amended ZA-92-01



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-160
Passed the 30th day of June, 1992.


Clerk


Mayor

City of Hamilton
Schedule A
Map Forming Part of
By-Law No. 92-160
to Amend By-Law No. 6593
Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 92-160

North



Scale
NOT TO SCALE

Date
MAY, 1992

Reference File No.
ZA 92-01

Drawn By
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 92-161

To Adopt:

Official Plan Amendment No. 111

Respecting:

LANDS LOCATED BETWEEN GARTH STREET, STONE CHURCH ROAD WEST,
WEST FIFTH STREET AND RYMAL ROAD WEST,
WITHIN THE SHELDON AND MEWBURN WEST NEIGHBOURHOODS

The Council of The Corporation of the City of Hamilton
enacts as follows:

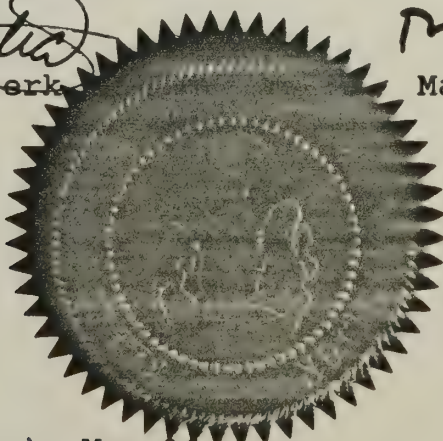
1. Amendment No. 111 to the Official Plan of the Hamilton
Planning Area consisting of Schedule 1, hereto annexed and forming
part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval
of the Official Plan Amendment referred to in section 1 above, as
may be requisite, be obtained and for the doing of all things for
the purpose thereof.

PASSED this 30th day of June A.D. 1992.


City Clerk


Mayor



Amendment No. 111

to the

City of Hamilton Official Plan

The following text, together with Schedule "A", attached hereto, constitutes Official Plan Amendment No. 111.

Purpose:

The purpose of this Amendment is to incorporate changes to Schedule "A" - Land Use Concept of the Official Plan, required as a result of the completion of the Sheldon and Mewburn West Neighbourhood Plans.

Location:

The lands affected by this Amendment are located between Upper Garth Street, Stone Church Road West, West Fifth Street and Rymal Road West within the Sheldon and Mewburn West Neighbourhoods.

Basis:

This Amendment will provide for the implementation of the recently approved Sheldon and Mewburn West Neighbourhood Plan.

Actual Changes:

Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating portions of the Sheldon and Mewburn West Neighbourhood from:

- "Open Space" to "Residential";
- "Major Institutional" to "Open Space"; and,
- "Open Space" to "Major Institutional",

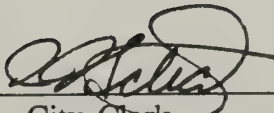
as shown on the attached Schedule "A" of this Amendment.

Implementation:

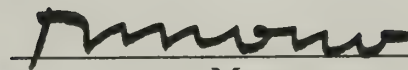
Provisions of Section D - Implementation of the Official Plan will apply to the implementation of this Amendment.

This is Schedule "1" to By-law No. 92- 161 , passed on the 30th day of June , 1992.

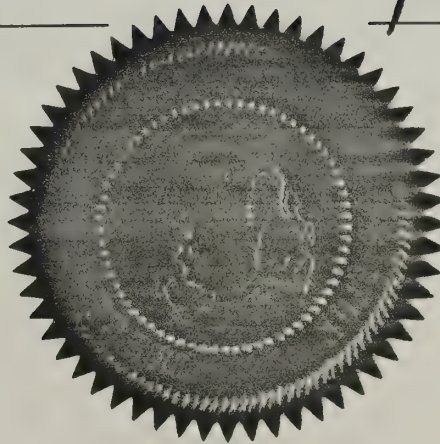
The Corporation of the
City of Hamilton



City Clerk



Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 92-162

To Designate:

**PORTIONS OF THE NORTH END EAST AND WEST NEIGHBOURHOODS
AS A COMMUNITY IMPROVEMENT PROJECT AREA**

WHEREAS subsection 28(2) of the Planning Act, R.S.O. 1990, Chapter P.13 provides as follows:

(2) Where there is an official plan in effect in a local municipality that contains provisions relating to community improvement in the municipality, the council may, by by-law, designate the whole or any part of an area covered by such an official plan as a community improvement project area;

AND WHEREAS the Official Plan of the City of Hamilton approved by the Minister on June 1, 1982, contains provisions relating to community improvement in the City of Hamilton;

AND WHEREAS it is desirable to designate portions of the North End East and West Neighbourhoods as a community improvement project area;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 92-054 on the 11th day of February 1992 to designate portions of the North End East and West Neighbourhoods as a community improvement project area;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 3 of the 10th Report of the Planning and Development Committee at its meeting held on the 26th day of May 1992, recommended that By-law No. 92-054 be amended to include all of the proposed Project elements within the boundaries of the community improvement project area;

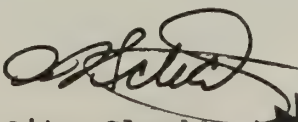
AND WHEREAS it is expedient to repeal By-law No. 92-054 and replace it with the following.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

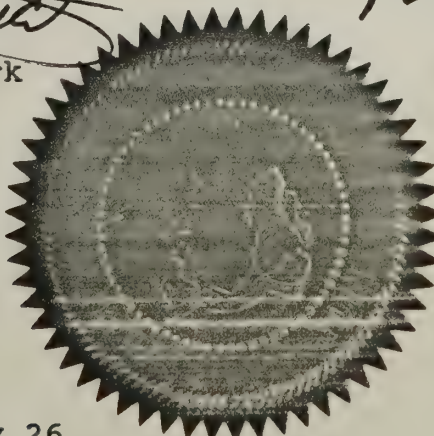
1. By-law No. 92-054 is hereby repealed.
2. The 'area shown on Schedule "A" hereto annexed and forming part of this by-law, comprised in the North End East and West Neighbourhoods, is hereby designated as a community improvement project area.

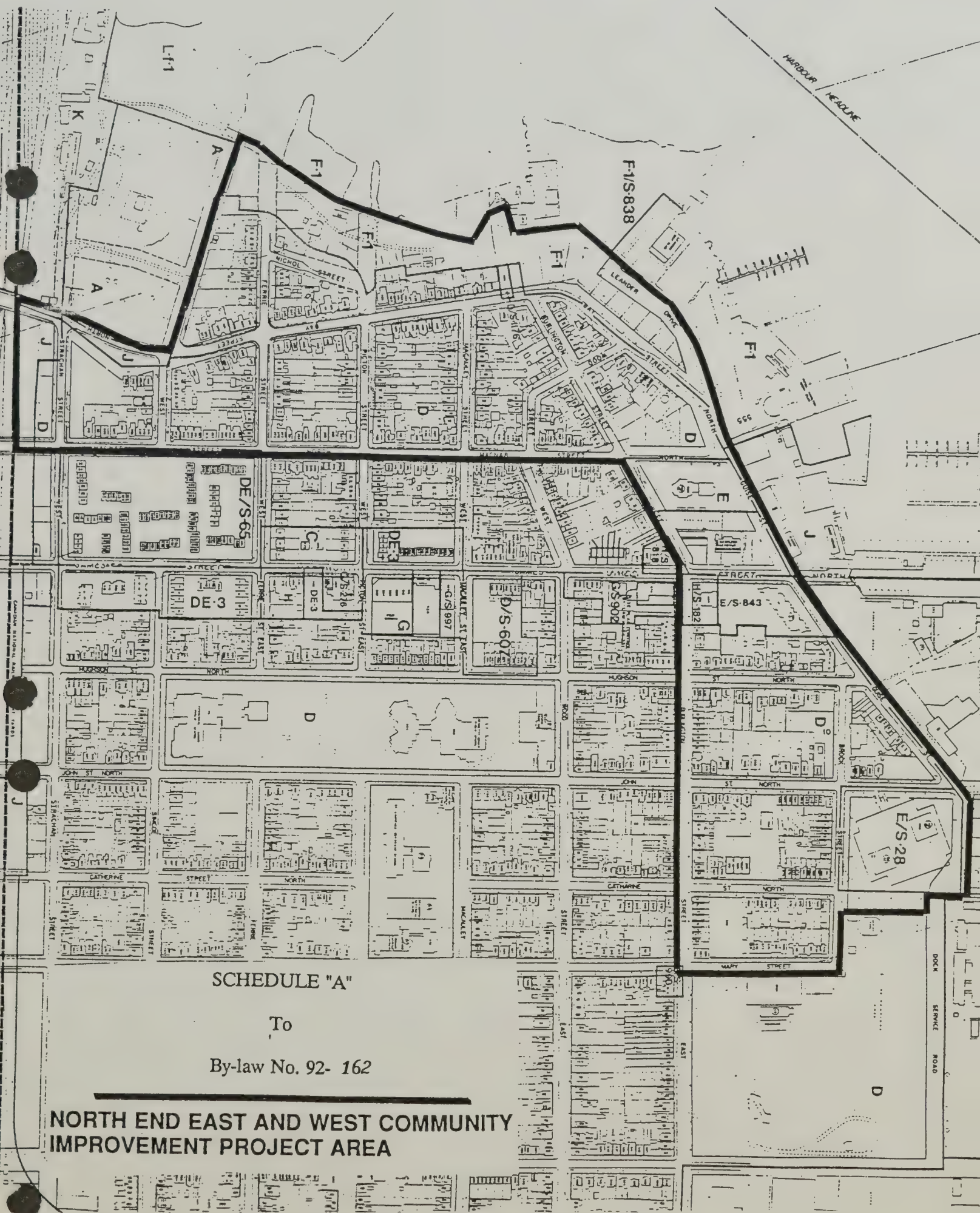
PASSED this 30th day of June

A.D. 1992.


City Clerk


Mayor





The Corporation of the City of Hamilton

BY-LAW NO. 92-163

To Adopt:

Official Plan Amendment No. 112

Respecting:

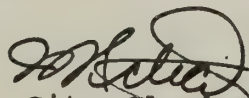
LANDS LOCATED NORTH AND EAST OF THE HAMILTON CITY LIMITS,
SOUTH OF RYMAL ROAD WEST
AND WEST OF THE PROPOSED GARTH STREET EXTENSION,
WITHIN THE CARPENTER NEIGHBOURHOOD

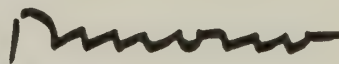
The Council of The Corporation of the City of Hamilton
enacts as follows:

1. Amendment No. 112 to the Official Plan of the Hamilton
Planning Area consisting of Schedule 1, hereto annexed and forming
part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval
of the Official Plan Amendment referred to in section 1 above, as
may be requisite, be obtained and for the doing of all things for
the purpose thereof.

PASSED this 30th day of June A.D. 1992.


City Clerk


Mayor



Amendment No. 112

to the

City of Hamilton Official Plan

The following text, together with Schedule "A", attached hereto, constitutes Official Plan Amendment No. 112.

Purpose:

The purpose of this Amendment is to incorporate changes to Schedule "A" - Land Use Concept of the Official Plan, required as a result of the completion of the Carpenter Neighbourhood Plan.

Location:

The lands affected by this Amendment are located north and east of the Hamilton City Limits, south of Rymal Road West and west of the proposed Garth Street extension within the Carpenter Neighbourhood.

Basis:

This Amendment will provide for the implementation of the recently approved Carpenter Neighbourhood Plan.

Actual Changes:

Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating portions of the Carpenter Neighbourhood from:

- "Residential" to "Open Space";
- "Residential" to "Major Institutional"; and,
- "Residential" to "Utilities",

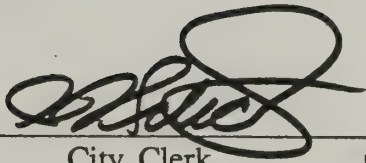
as shown on the attached Schedule "A" of this Amendment.

Implementation:

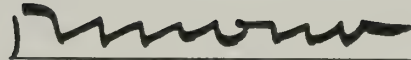
Provisions of Section D - Implementation of the Official Plan will apply to the implementation of this Amendment.

'This is Schedule "1" to By-law No. 92- 163 , passed on the 30th day of June , 1992.

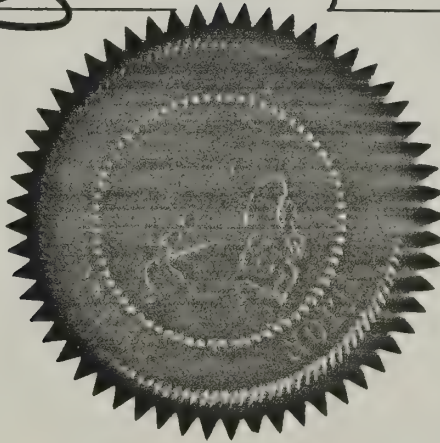
The Corporation of the
City of Hamilton



City Clerk



Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 92-164

To Amend By-law No. 91-075

Respecting:

THE CENTRAL/BEASLEY COMMUNITY IMPROVEMENT PLAN

WHEREAS Section 1 of By-law No. 91-044, passed on the 12th day of March 1991 designated the area described in Schedule "A" and shown on Schedule "B" thereto as a Community Improvement Project Area in accordance with subsection 28(2) of the Planning Act, 1983;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 91-075 on the 30th day of April 1991 to adopt a Community Improvement Plan for the said area in accordance with subsection 28(4) of the said Act;

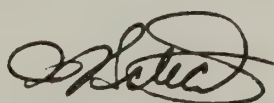
AND WHEREAS the Community Improvement Plan was approved by the Ministry of Municipal Affairs on the 30th day of May 1991, in accordance with section 28(8) of the said Act;

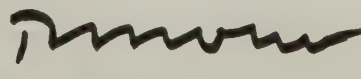
AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 6 of the 10th Report of the Planning and Development Committee on the 26th day of May 1992 recommended that the said Plan be modified by approving an Addendum to implement the PRIDE Housing Intensification Program.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Addendum to the Central/Beasley Community Improvement Plan hereto annexed as Schedule "A" and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that the approval of the Addendum to the Community Improvement Plan referred to in section 1 shall include approval for the doing of all things for the purpose thereof.
3. This by-law comes into force and effect on the date of its approval by the Ministry of Municipal Affairs.

PASSED this 30th day of June A.D. 1992.


City Clerk


Mayor



SCHEDULE "A"

To By-law No. 92-164

MISSION STATEMENT:

The Community Improvement Plan and this Addendum have been created in order to make the Community Improvement Project Area a better place to live for existing and future residents and give the residents a sense of ownership and pride.

BACKGROUND:

Through the 1991-1993 Central/Beasley PRIDE Programme, with a total allocation of \$627,000. (50% Municipal, 50% Ministry of Municipal Affairs, Community Development Branch), the City of Hamilton, in conjunction with a Citizens' Advisory Committee (C.A.C.) are carrying out a number of improvements in the Community Improvement Project Area that will add to the quality of life for the residents. To date, McLaren Park has been redeveloped, lights have been installed to illuminate the pathway of St. Mary's Church and, construction of Beasley Park is expected to commence in the Spring of 1992. A Beasley Neighbourhood Association has been formed by the efforts of members of the Central/Beasley PRIDE C.A.C. A Central Neighbourhood Association is anticipated to be formed this year. The formation of Neighbourhood Associations was a goal identified in the original Community Improvement Plan.

A second allocation of \$1,440,000. (50% Municipal, 50% Ministry of Municipal Affairs, Community Development Branch) is now available. An Addendum to the original Community Improvement Plan for the purpose of implementing the 1992-1994 Central/Beasley PRIDE H.INT. Programme is therefore required identifying additional goals and objectives for the Community Improvement Project Area. PRIDE H.INT. is a tool to implement these goals. Through the implementation of these goals and objectives, the impact of housing intensification on the neighbourhood will be offset, and will provide the basis to attract and contend with future residential projects.

Given the socio-economic demographics of the two neighbourhoods, the Central/Beasley PRIDE H.INT. C.A.C. intends to earmark projects for funding to encourage beautification, stabilization and rehabilitation in the Project Area.

The efforts of this Committee will encourage families to buy in the area, undertaking the private property repairs, renovations and infilling that will contribute to the rejuvenation and reconstitution of viable and vibrant neighbourhoods in the downtown core.

Through the policies of the neighbourhood plans both neighbourhoods within the project area are designated for the conservation of low rise housing. The C.A.C. intends to support this type of housing within the Community Improvement Project Area because it is of the scale, density and design sympathetic with the existing housing stock in the area.

Beyond the conclusion of the PRIDE and PRIDE H.INT. Programmes and the expenditure of these funds, it is hoped that City Council will endeavour to find other sources of funding to ensure the complete implementation of this Community Improvement Plan.

FORMAT/SCOPE

The following Addendum to the Central/Beasley PRIDE Community Improvement Plan identifies the goals, objectives and resultant actions of the Central/Beasley PRIDE H.INT. C.A.C. - All schedules and appendices do not form part of this Plan.

ADDENDUM TO THE CENTRAL/BEASLEY

COMMUNITY IMPROVEMENT PLAN

GOAL ONE

ADDRESS PROBLEMS CREATED BY ABUTTING INCOMPATIBLE USES

Objective 1.1

Buffering of warehouse/storage/industrial/commercial uses from residential.

Action 1.1.1

Identify and approach owner(s) of storage/warehouse/industrial/commercial properties surrounding McLaren Park and encourage to fence off and/or buffer their property from the Park and road allowance.

Action 1.1.2

Negotiate with Bell Canada to cost share on the buffering of their site at Park and Mulberry Streets.

Action 1.1.3

Identify and approach owner(s) of storage/warehouse/industrial/commercial properties and encourage to fence and/or buffer their property.

Objective 1.2

Buffering of parking lots to minimize negative visual impact on street.

Action 1.2.1

Request the Parking Authority to provide appropriate landscaping around the perimeter of their parking lots.

Action 1.2.2

Identify owners of private parking lots and request that they provide appropriate landscaping around their parking lots.

Action 1.2.3

Request negotiations with CN to cost share the buffering of their parking lot at Murray and Hughson Streets.

Objective 1.3

Identify cost sharing possibilities between Owner/Municipality/Senior Government funding.

Action 1.3.1

Prepare a list of property owners that have the potential for landscaping and buffering treatments.

Action 1.3.2

Approach property owners as per Action 1.3.1 with a view to cost-sharing i.e. Industrial Roadside Beautification Programme and/or PRIDE H.INT.

Objective 1.4

Create dialogue between the City of Hamilton and warehouse/storage/industrial/commercial property owners and operators to encourage landscaping and buffering of their properties.

Action 1.4.1

Establish a task force of members from the PRIDE HINT C.A.C., Neighbourhood Associations and staff to both identify and meet/negotiate with warehouse/storage/industrial/commercial property owners with a view to reaching an agreement for cost sharing of landscaping/buffering and report same to the PRIDE HINT C.A.C.

Objective 1.5

Recommend that a study be implemented respecting the feasibility of enforcing stricter guidelines for landscaping associated with new development.

Action 1.5.1

Recommend that the Planning Department be encouraged to set-up specific guidelines for landscape design and buffering for warehouse/storage/industrial/commercial uses within the neighbourhoods.

Objective 1.6

Encourage reuse of existing or unused warehouse/storage/industrial/commercial buildings for residential purposes.

Action 1.6.1

Encourage the Building Department to **PROMOTE** the available loan programmes for the purpose of converting unused storage/warehouse/industrial/commercial to residential use.

Action 1.6.2

Encourage the Municipal Non-Profit Housing Corporation to utilize warehouse/storage/industrial/commercial space for conversion to residential use as part of its strategy to provide affordable housing in the lower city area.

Action 1.6.3

Request that the Planning Department through the Neighbourhood Plan Review identify vacant housing stock and warehouse/storage/industrial/commercial buildings that are suitable for residential use, with a view to provide additional housing quality stock from existing.

GOAL TWO

With Reference to Goal Three of the Original Community Improvement Plan - Increase Public Safety and Security

Objective 2.1

Make the neighbourhood more accessible for people with disabilities.

Action 2.1.1

Identify insufficient approaches with the aim to provide wheelchair ramps throughout the neighbourhood.

Action 2.1.1.2

Invite a representative from Wheelchair Ramping Sub-Committee to a PRIDE HINT CAC meeting.

Action 2.1.1.3

Send a letter to the Regional Roads Department advising of the Committee's concern with respect to the design of the existing approach/sidewalk and potential safety.

Objective 2.2

Upgrade level of lighting throughout the Community Improvement Project Area.

Action 2.2.1

Identify areas that have high traffic i.e. church/parks/schools/hospitals/commercial.

Action 2.2.2

Identify residential areas with inadequate lighting.

Action 2.2.3

Liaise with Hamilton Hydro Electric System to identify their ongoing initiatives such as the Street Lighting Conversion Programme, in the neighbourhood which will help to co-ordinate redevelopment initiatives.

Action 2.2.4

Explore feasibility of installing traditional lighting in neighbourhoods.

Action 2.2.5

Take advantage of Hydro's grant programme for the conversion of high pressure sodium lighting.

Objective 2.3

Improve alleyways respecting safety and pedestrian/bicycle linkage.

Action 2.3.1

Install lighting in alleyways where appropriate.

Action 2.3.2

Ensure entranceway of alleyways are well lit from street.

Objective 2.4

Increase safety in parks

Action 2.4.1

Request Regional Roads Department to review existing lighting levels in parks and upgrade as requested.

Action 2.4.2

Request Parks Division to prune trees from ground up, where potential problems of security have been identified.

Action 2.4.3

Meet with Regional Police to identify potential problem areas in existing parks. Request an increase of police patrol within the Central and Beasley neighbourhoods. Request crime statistics for the two neighbourhoods.

Action 2.4.4

Review existing parks for the purpose of identifying areas where wheelchairs, baby carriages and people with disabilities may have difficulty accessing and using facilities in the park with a view to correct these deficiencies

Objective 2.5

Establish a Neighbourhood Watch.

Action 2.5.1

Invite the Community Services Section of the Police Department to a CAC meeting to educate on Neighbourhood Watch programme (as per Action 3.1.2. of the original Community Improvement Plan).

Action 2.5.2

Through the Neighbourhood Association establish a Neighbourhood Watch in Beasley .

Action 2.5.3

Through the Neighbourhood Association establish a Neighbourhood Watch in Central.

Objective 2.6

Improve Traffic/Pedestrian Safety in the Community Improvement Project Area.

Action 2.6.1

Request the Traffic Department to install traffic signal lights at Cannon Street and Ferguson Avenue.

Action 2.6.2

Identify "safe" pedestrian/bicycle routes within the Community Improvement Project Area and make recommendations through the Region and City (co-ordinate through Culture and Recreation Department).

- i) Invite the Region's bicycle study consultant Victor Ford to a CAC meeting.

Action 2.6.3

Identify other areas of concern for pedestrian safety and report these to the Traffic Department for possible action.

GOAL THREE

ENHANCE EXISTING RECREATIONAL AND SOCIAL SERVICES

Objective 3.1

Encourage the Culture and Recreation Department to establish a community centre in proximity to the proposed housing development at Ferguson and Cannon i.e. within Beasley Park.

Action 3.1.1

Recommend to the Culture and Recreation Department that the parks building at Beasley Park be renovated for the use of the Beasley Neighbourhood Association.

Action 3.1.2

The Neighbourhood Association work with the Culture and Recreation Department to provide programming in both Beasley and McLaren Parks.

Action 3.1.3

Upgrade the storage and washroom facility at McLaren Park adjacent to Robert's Village, a residential complex.

Objective 3.2

Identify potential park sites within the Community Improvement Project Area.

Action 3.2.1

That staff from the City of Hamilton and the Central/Beasley PRIDE HINT CAC carry out a physical inventory of available park space within the Central and Beasley portion of the Community Improvement Project Area.

Action 3.2.2

If feasible use PRIDE HINT funding to develop a park within the Central portion of the Community Improvement Project Area.

Objective 3.3

Enhance facilities available at Beasley Park due to the residential demand relative to the development of housing on the Carter lands.

Action 3.3.1

Install a spray pool at Beasley Park

Action 3.3.2

Request that the City acquire Lockwoods Motors to expand Beasley Park to front on to Ferguson Avenue.

Action 3.3.3

Provide additional seniors recreational services at Beasley Park.

Action 3.3.4

Review the possibility of a bandstand in Beasley Park.

Objective 3.4

Create an inventory of existing social services and create an awareness in the community of services available to the public.

Action 3.4.1

Request Regional Social Services to provide a list of the social service agencies within the neighbourhood.

Action 3.4.2

Suggest dispersion of social service agencies to be spread more equitably throughout the City.

Objective 3.5

Identify and meet with social service providers with a view to enhance services required within the Community Improvement Project Area.

Action 3.5.1

Neighbourhood Association to work with social service agencies to determine whether adequate services are available.

Action 3.5.2

Neighbourhood Association encourage agencies to modify/expand/reduce programmes available.

Action 3.5.3

Identify the problems associated with the provision of services i.e. homeless people loitering in parks. Work closely with local government or appropriate agencies for remedies to the situation.

GOAL FOUR

IMPROVE HARD SERVICES WITHIN THE COMMUNITY IMPROVEMENT PROJECT AREA

Objective 4.1

Request the City and Region to review sidewalks/roads/sewers and water services with a view to upgrade these facilities as required.

Action 4.1.1

Pinpoint areas of concern within the community and provide to the Regional Municipality.

Objective 4.2

Identify key shortfalls in hard services that require immediate attention relative to new and future residential development.

Action 4.2.1

By participating in committees and by monitoring development proposed or occurring in the neighbourhood, the Neighbourhood Association will be able to lobby local government to ensure that a comprehensive approach to development occurs i.e. develop sympathetic to the neighbourhood i.e. landscaping, buffering, recreational services, lighting.

Objective 4.3

Work in partnership with developers to improve hard services adjacent to their developments in order that cost sharing can be met and PRIDE HINT funds maximized.

Action 4.3.1

By participating in local government planning activities, the Neighbourhood Associations can get to know developers and through this relationship can encourage that sustainable/sympathetic development occurs as in Action 4.2.1. above.

Objective 4.4

Encourage/support the reconstruction of Ferguson Avenue and removal of CN Tracks.

Action 4.4.1

As part of the planning process for Ferguson Avenue, the Central Beasley PRIDE HINT CAC will have the ability to make recommendations regarding development of the street.

Action 4.4.2

Maximize all **OTHER** funding for Ferguson Avenue development including the City of Hamilton's Capital Budget, CN Rail, abutting developers.

Action 4.4.3

Recommend to the Planning and Development Committee and the Transport and Environment Committee that residents abutting Ferguson Avenue not be penalized under the Local Improvement Act.

Action 4.4.4

The PRIDE H.INT. C.A.C. recommend the beautification of Ferguson Avenue.

Objective 4.2.4. (to expand on original CIP)

Carry out tree planting programme throughout entire neighbourhood to improve air quality.

Action 4.2.4.1

City of Hamilton to **ACTIVELY PROMOTE** a tree planting programme and, if necessary use PRIDE HINT funds.

Action 4.2.4.2

Encourage the Planning Department to incorporate landscape guidelines for older residential areas with the aim to preserve the existing trees.

Objective 4.5

Identify appropriate locations for potential placement of litter containers and benches.

Action 4.5.1

The PRIDE HINT C.A.C., in conjunction with the Consultant services, to identify problem or key areas for the placement of litter containers and benches.

The Corporation of the City of Hamilton

BY-LAW NO. 92- 165

To Amend:

Zoning By-law No. 6593

As Amended by Zoning By-law No. 90-311

Respecting:

LAND LOCATED AT MUNICIPAL NO. 480 RYMAL ROAD WEST

WHEREAS By-law No. 90-311, passed by the Council of The Corporation of the City of Hamilton on the 13th day of November 1990, rezoned the above-captioned lands and established special requirements with respect to the said lands, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS section 2(a) of By-law No. 90-311 provides that upon the availability of all such municipal sewers serving the subject lands as the City deems necessary, the 'H' symbol shall be removed by amendment to By-law No. 90-311, and the development of the lands referred to in section 1 of the said by-law may proceed in accordance with the "C" District, "R-4" District and "RT-20" District provisions;

AND WHEREAS the municipal sewers as deemed necessary by the City have been installed and are available to service the subject lands;

AND WHEREAS this by-law does not conflict with the intent of the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

AND WHEREAS City Council in adopting Section 9 of the 9th Report of the Planning and Development Committee at its meeting held on the 12th day of May 1992, directed the City Solicitor to prepare the necessary by-law to remove the 'H' symbol in respect of the subject lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 90-311, passed on the 13th day of November 1990, to the "C"- 'H' (Urban Protected Residential, etc. - Holding) District designation of Blocks 1 and 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law and which were previously shown as Blocks 1, 2 and 6 on Schedule "A" to By-law No. 90-311, is hereby removed and the development of the said land may proceed in accordance with the "C" (Urban Protected Residential, etc.) District provisions of Zoning By-law No. 6593.

2. The 'H' (Holding) symbol affixed by By-law No. 90-311, passed on the 13th day of November 1990, to the "C"- 'H' (Urban Protected Residential, etc. - Holding) District designation of Block 3, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law and which was previously shown as Block 7 on Schedule "A" to By-law No. 90-311, is hereby removed and the development of the said land may proceed in accordance with the "C" (Urban Protected Residential, etc.), District, modified provisions of Zoning By-law No. 6593, subject to the special requirement referred to in section 3 of By-law No. 90-311.

3. The 'H' (Holding) symbol affixed by By-law No. 90-311, passed on the 13th day of November 1990, to the "R-4"- 'H' (Small Lot Single-Family Detached - Holding) District designation of Block 4, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law, is hereby removed and the development of the said land may proceed in accordance with the "R-4" (Small Lot Single-Family Detached) District provisions of Zoning By-law No. 6593.

4. The 'H' (Holding) symbol affixed by By-law No. 90-311, passed on the 13th day of November 1990, to the "RT-20"- 'H' (Townhouse-Maisonette - Holding) District designation of Block 5, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law, is hereby removed and the development of the said land may proceed in accordance with the "RT-20" (Townhouse-Maisonette) District provisions of Zoning By-law No. 6593, subject to the special requirements referred to in section 4 of By-law No. 90-311.

5. Sheet No. W-27D of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 1 of By-law No. 90-311, is further amended by changing from "C" - 'H' (Urban Protected Residential, etc. - Holding) District to "C" (Urban Protected Residential, etc.) District the land comprised in Blocks 1 and 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

6. Sheet No. W-27D of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 1 of By-law No. 90-311, is further amended by changing from "C" - 'H' (Urban Protected Residential, etc. - Holding) District to "C" (Urban Protected Residential, etc.) District, modified the land comprised in Block 3, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

7. Sheet No. W-27D of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 1 of By-law No. 90-311, is further amended by changing from "R-4" - 'H' (Small Lot Single-Family Detached - Holding) District to "R-4" (Small Lot Single-Family Detached) District the land comprised in Block 4, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

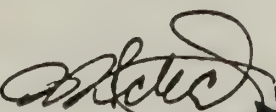
8. Sheet No. W-27D of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 1 of By-law No. 90-311, is further amended by changing from "RT-20" - 'H' (Townhouse-Maisonette - Holding) District to "RT-20" (Townhouse-Maisonette) District the land comprised in Block 5, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

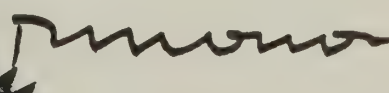
9. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District and "RT-20 District provisions, subject to the special requirements referred to in sections 3 and 4 of By-law No. 90-311.

10. By-law No. 6593, as amended by By-law No. 90-311, is further amended by adding this by-law to section 19B as Schedule S-1195a.

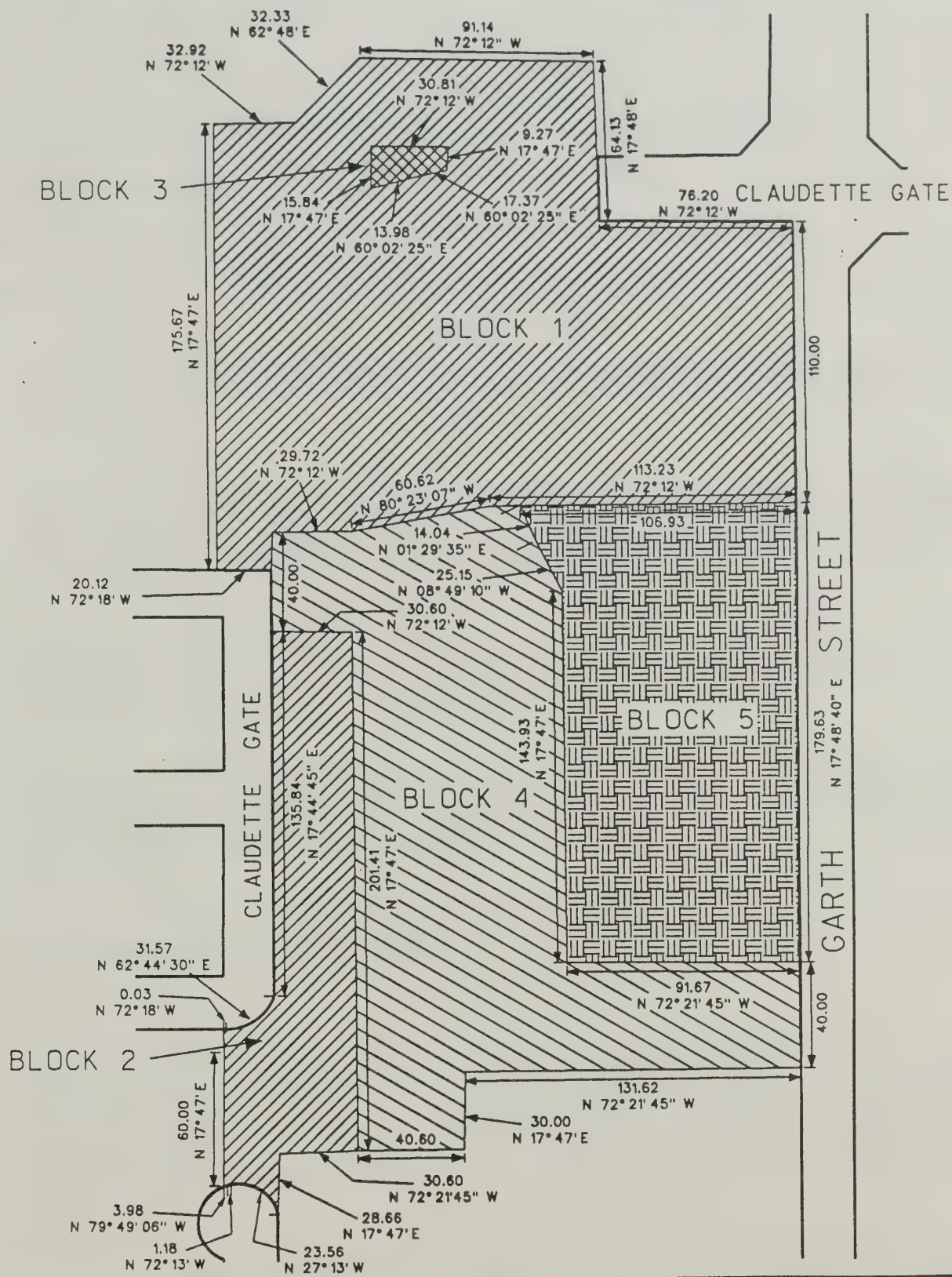
11. Sheet No. W-27D of the District Maps, as amended by By-law No. 90-311, is further amended by marking the lands referred to in sections 1, 2, 3 and 4 of this by-law, S-1195a.

PASSED this 30th day of June, A.D. 1992.


City Clerk


Mayor





This is Schedule "A" to By-Law No. 92-165
Passed the 30th day of June, 1992.

[Signature]
Clerk

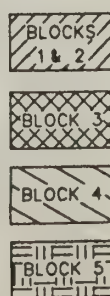
[Signature]
Mayor

NOTE: All dimensions are in metres

City of Hamilton
Schedule A
Map Forming Part of
By-Law No. 92-165
to Amend By-Law No. 6593

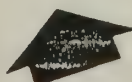
Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 92-165

North



Scale
NOT TO SCALE

Date
MAY, 1992

Reference File No.
ZA-92-04

Drawn By
H.V.

The Corporation of the City of Hamilton

BY-LAW NO. 92-166

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 323 AND 325 WENTWORTH STREET NORTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

AND WHEREAS the special condition relating to this rezoning, referred to in Section 9 of the 6th Report of the Planning and Development Committee adopted by City Council on the 9th day of April 1991, has been satisfied.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

- (a) notwithstanding Section 10(1)(i) of By-law No. 6593, a residential care facility for the accommodation of not more than 12 residents shall be permitted within the existing building;
- (b) notwithstanding Section 18A.(1) of By-law No. 6593, not less than 2 parking spaces shall be provided and maintained and the required manoeuvring will be located off-site;
- (c) notwithstanding Section 18A.(14) of By-law No. 6593, one (1) parking space will be located in the required front yard and the required manoeuvring will be located off-site;
- (d) notwithstanding Section 18.(3)(vi)(c)(i) of By-law No. 6593, the open stairway to the second floor may project not more than 1.09 m into the required rear yard.

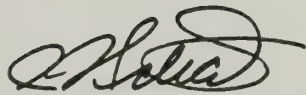
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1224.

4. Sheet No. E-12 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1224.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this 30th day of June A.D. 1992.



City Clerk

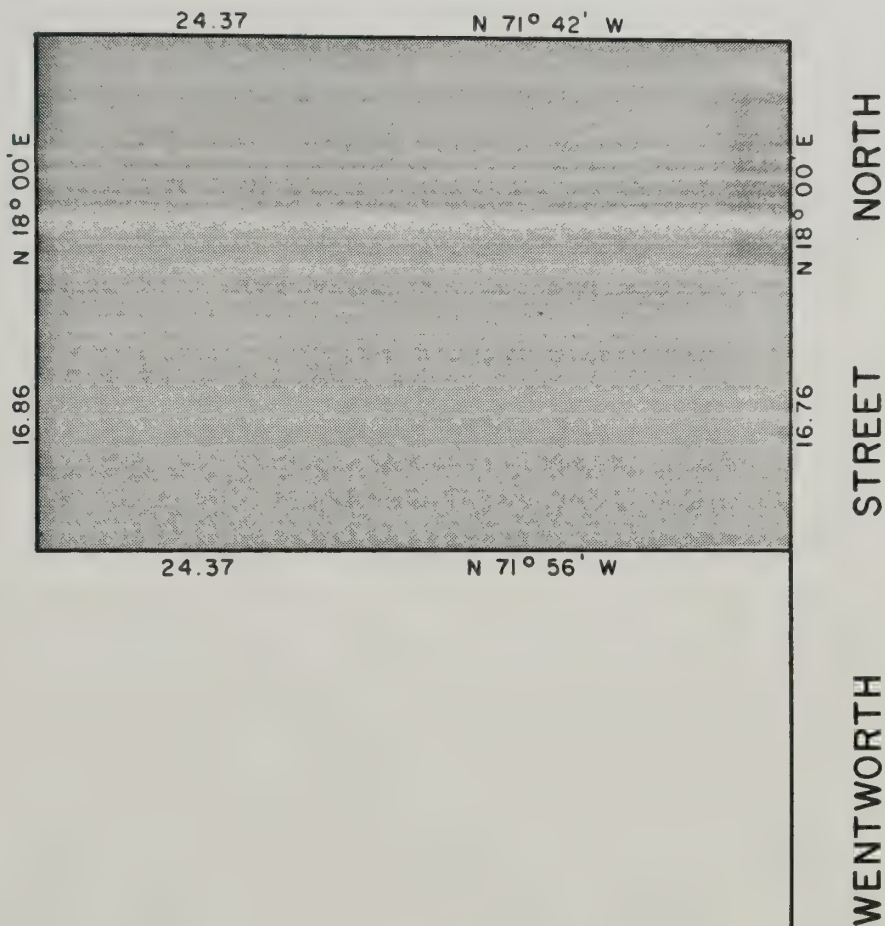


Mayor



(1991) 6 R.P.D.C. 9, April 9
(1992) 1 R.P.D.C. 34, January 14
Diton Construction, Owner
ZA-89-95

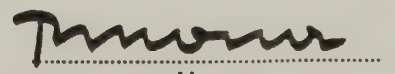
BIRGE STREET



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-166.
Passed the 30th day of June, 199 .


Clerk


Mayor

City of Hamilton

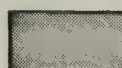
Schedule A

Map Forming Part of
By-Law No. 92-166

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 92-166

North



Scale
NOT TO SCALE

Date
APRIL, 1991

Reference File No.
ZA 89-95

Drawn By
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 92- 167

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE REAR OF
MUNICIPAL NO. 89 STONE CHURCH ROAD EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

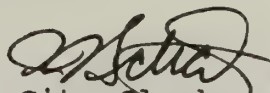
1. Sheet No. E-9C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

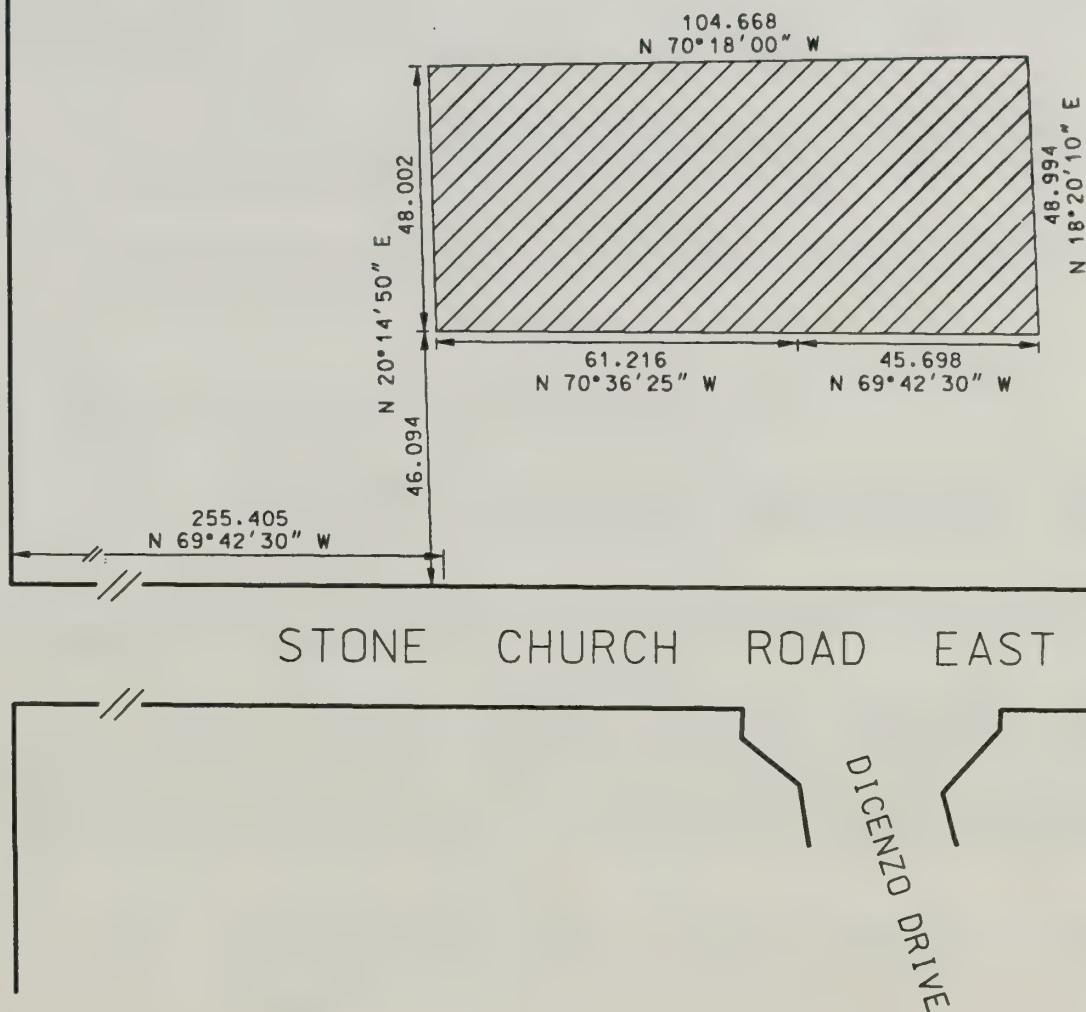
PASSED this 30th day of June A.D. 1992.


City Clerk


Mayor

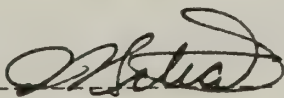


JAMES STREET
UPPER



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-167
Passed the 30th day of June, 1992.


Clerk


Mayor

City of Hamilton
Schedule A
Map Forming Part of
By-Law No. 92-167
to Amend By-Law No. 6593
Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend
Change in zoning from:



"AA" (Agricultural) District to "C"
(Urban Protected Residential, etc.) District

	Scale NOT TO SCALE	Reference File No. CI-92-A
	Date MAY, 1992	Drawn By H.V.

The Corporation of the City of Hamilton

BY-LAW NO. 92- 168

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 595 RYMAL ROAD WEST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-27E of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "B" (Suburban Agriculture and Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "B" (Suburban Agriculture and Residential, etc.) District provisions, as contained in Section 8 of Zoning By-law No. 6593, applicable to the land comprised in Block 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 8(4) of By-law No. 6593, a lot width of not less than 18.29 m shall be permitted.

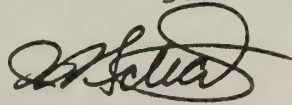
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "B" District provisions, subject to the special requirement referred to in section 2.

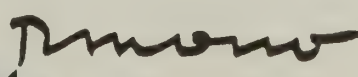
4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1272.

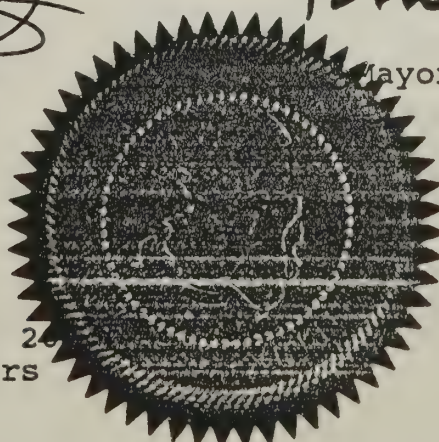
5. Sheet No. W-27E of the District Maps is amended by marking the lands referred to in Section 1 of this by-law, S-1272.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

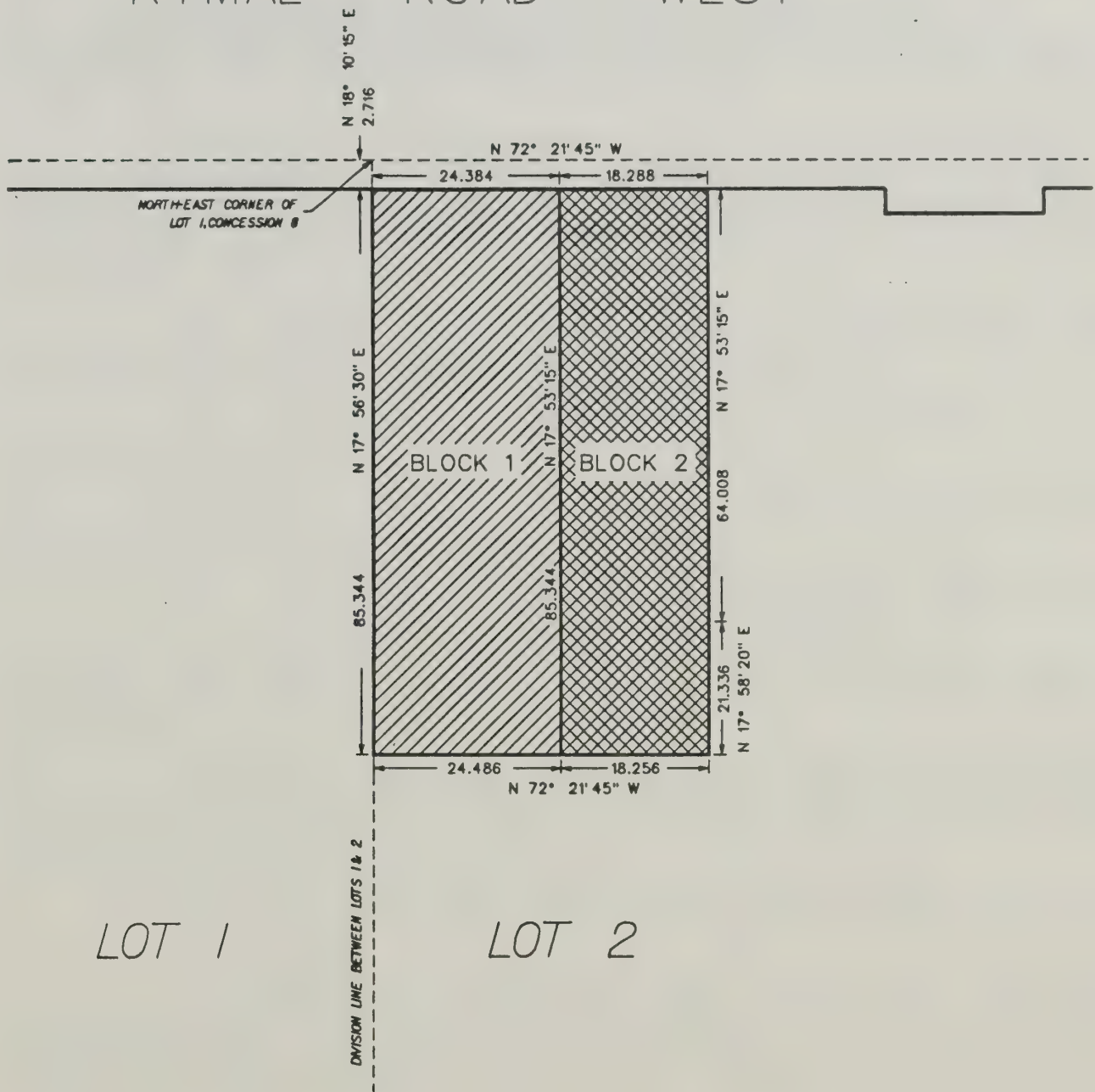
PASSED this 30th day of June A.D. 1992.


City Clerk


Mayor



RYMAL ROAD WEST



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-168
Passed the 30th day of June, 1992.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton
Schedule A
Map Forming Part of
By-Law No. 92-168
to Amend By-Law No. 6593
Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend		
Change in zoning from:		
	"AA" (Agricultural) District to "B" (Suburban Agriculture and Residential, etc.) District.	
	"AA" (Agricultural) District to "B" (Suburban Agriculture and Residential, etc.) District, Modified.	
North 	Scale NOT TO SCALE	Reference File No. ZA 92-06
	Date MAY, 1992	Drawn By L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 92- 169

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE EAST SIDE OF GARTH STREET,
IN THE AREA BETWEEN RYMAL ROAD WEST AND CLAUDETTE GATE,
MUNICIPALLY KNOWN AS THE SOUTHERLY PORTION OF NO. 1605 GARTH STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-17D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "DE-3" (Multiple Dwellings) District provisions, as contained in Section 10C of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirement that,

(a) Section 10E(2)(a)3. of By-law No. 6593 shall not apply.

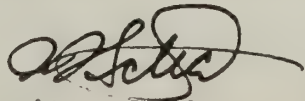
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-3" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1273.

5. Sheet No. W-17D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1273.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 30th day of June A.D. 1992.


City Clerk


Mayor



CLAUDETTE

GATE

STREET

GARTH

141.656

59.328

N 17° 54' 28" E

N 72° 05' 32" W
28.319

N 63° 33' 06" E
RADIUS = 142.037
CHORD = 42.187
ARC = 42.343

N 55° 00' 00" W
39.624

N 73° 37' 10" W

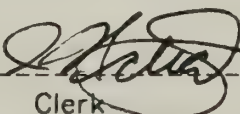
132.841

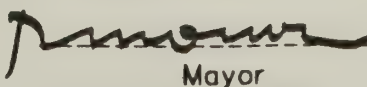
84.466

N 35° 00' 00" E

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92- 169
Passed the 30th day of June, 1992.


Clerk


Mayor

City of Hamilton Schedule A

Map Forming Part of
By-Law No. 92- 169
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend
Change in zoning from:



"AA" (Agricultural) District to
"DE-3" (Multiple Dwellings)
District, modified.

North



Scale
NOT TO SCALE

Date
MAY 26, 1992

Reference File No.
ZA 91-67

Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 92- 170

To Amend:

Zoning By-law No. 6593

Respecting:

"HOUSEKEEPING" AMENDMENTS

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 22 of the 11th Report of the Planning and Development Committee at its meeting held on the 30th day of June 1992, recommended that By-law No. 6593 be amended to provide "housekeeping" amendments for updating and clarification of the said by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The preamble of Section 2.(2)A. of By-law No. 6593, is deleted and the following substituted therefor:

A. "Residential" shall mean designed, adapted or used as a home or residence of a family or families and shall include an apartment hotel, dwelling, multiple dwelling, maisonette dwelling, townhouse dwelling, street townhouse dwelling, hostel, hotel, motor hotel, motel, lodging house, tourist home, tourist camp, trailer camp and summer camp, foster home, residential care facility, short term care facility, a home for elderly persons, but shall not include any institutional use; and Residential District means and includes any "A", "AA", "B", "B-1", "B-2", "C", "R-2", "R-4", "D", "DE", "DE-2", "DE-3", "E", "E-1", "E-2", "E-3", "RT-10", "RT-20", "RT-30" District.

2. Section 2.(2)B.(iv) of the said by-law is deleted and the following substituted therefor:

(iv) "Nursing home" means any premises licensed as a nursing home under the Nursing Homes Act.

3. (1) Section 2.(2)C. of the said by-law is amended by renumbering clause (iii) as clause (iv).

(2) Section 2.(2)C. of the said by-law is further amended by adding the following clause thereto:

(iii) "Seminary" shall mean a school or college where persons receive religious training, with or without a dormitory.

4. The preamble of Section 2.(2)D.(ivb) of the said by-law is deleted and the following substituted therefor:

(ivb) "Restaurant" shall mean any building or premises where food is prepared and offered for sale for immediate consumption therein or elsewhere, and shall include those premises for which a Sale Licence has been issued under the Liquor Licence Act, but does not include,

5. Section 2.(2)D.(vii) of the said by-law is repealed in its entirety.

6. Section 2.(2)H.(ivd) of the said by-law is deleted and the following substituted therefor:

(ivd) "parking area" means the space occupied by any parking spaces and manoeuvring spaces whether required or not, but does not include any space occupied by an access driveway;

7. Clause (xixb) of Section 2.(2)J. of the said by-law is renumbered (xixd).

8. Clause (xxivb) of Section 2.(2)J. of the said by-law is renumbered (xxivc).

9. Section 3.(2) of the said by-law is deleted and the following substituted therefor:

(2) As provided in the Planning Act, the provisions of this By-law shall not apply,

(a) to prevent the use of any land, building or structure for any purpose prohibited by the by-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the by-law so long as it continues to be used for that purpose; or

(b) to prevent the erection or use for a purpose prohibited by the by-law of any building or structure for which a permit has been issued under section 5 of the Building Code Act, prior to the day of the passing of the by-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under section 6 of the Building Code Act.

10. Section 3 of the said by-law is amended by deleting subsection (2b) and renumbering subsections (2c) and (2d) as (2b) and (2c), respectively.

11. Section 3.(3)(ii) of the said by-law is amended by deleting the words "(allowed without these restrictions in H, I, J, and K, districts)" in the ninth and tenth lines thereof.

12. Section 3.(3)(xi) of the said by-law is amended by deleting the words "(allowed without these restrictions in H, I, J, and K, districts)" in the fifth and sixth lines thereof.

13. (1) Section 3.(3)(xiii) of the said by-law is amended by deleting the words "Hydro-Electric Power Commission of Ontario" in the third and fourth lines and substituting in lieu thereof "Ontario Hydro".

(2) Section 3.(3)(xiii) of the said by-law is further amended by deleting the words "Hydro-Electric Power Commission of the City of Hamilton" in the fourth and fifth lines and substituting in lieu thereof "Hamilton Hydro Electric System".

14. Section 3.(3)(xxii) of the said by-law is amended by deleting the words "(without these conditions, not allowed anywhere)" in the thirteenth and fourteenth lines thereof.

15. Section 3.(8) of the said by-law is amended by adding a heading entitled "BUS SHELTERS" at the introduction thereof.

16. Section 3.(9) of the said by-law is amended by adding a heading entitled "LOTS SITUATED IN TWO OR MORE ZONES" at the introduction thereof.

17. Section 4.(2) of the said by-law is amended by deleting the phrases "in Section 12" and "in Section 15" in the first and second lines, respectively.

18. Section 6 of the said by-law is amended by adding thereto the following subsection:

FREEWAY STANDARDS

- (19) (a) Notwithstanding any other provisions of this By-law, no residential structure shall be located closer than 22.86 m (75 feet) from the Mountain Freeway right-of-way proper (excluding access ramps);
- (b) Notwithstanding any other provision of this By-law, no structure shall be located within 15.24 m (50 feet) of the limits of the Mountain Freeway.

19. Section 6.(7) of the said by-law is amended by deleting the words "building and health by-laws" in the ninth line and substituting in lieu thereof "Ontario Building Code and Health By-law".

20. Section 7A(1) of the said by-law is amended by adding thereto the following clause:

- (g) a private stable.

21. Section 8.(1)(xv) of the said by-law is amended by deleting the words "or private stable" at the end thereof.

22. Section 9.(1)(iv) of the said by-law is amended by deleting the words "or seminary" in the first line thereof.

23. Section 9.(1)(iva) of the said by-law is deleted and the following substituted therefor:

- (iva) A seminary.

24. Section 9.(1)(vii) of the said by-law is amended by deleting the words "or private stable" at the end thereof.

25. (1) Paragraph 1 of Section 9A(2)(c) of the said by-law is amended by deleting the words "in a plan of subdivision" in the third line thereof.

(2) Paragraph 2 of Section 9A(2)(c) of the said by-law is amended by deleting the words "in a plan of subdivision" in the second and third lines thereof.

26. (1) Clause (i) of paragraph 3 of Section 9A(2)(c) of the said by-law is amended by deleting the words "within a plan of subdivision" at the end thereof.

(2) Clause (ii) of paragraph 3 of Section 9A(2)(c) of the said by-law is amended by deleting the words "within a plan of subdivision" at the end thereof.

27. Paragraph 1 of Section 9A(4)(d) of the said by-law is amended by deleting the reference to "Section 18" in the first line and substituting in lieu thereof "Section 18A".

28. Section 10.(1)(xi) of the said by-law is deleted and the following substituted therefor:

(xi) a district yard of a municipal corporation;

29. Section 10A(1)(i) of the said by-law is deleted and the following substituted therefor:

(i) any use permitted in a "D" district except a district yard of a municipal corporation.

30. Section 10B(1)(i) of the said by-law is deleted and the following substituted therefor:

(i) any use permitted in a "D" district except a district yard of a municipal corporation.

31. Section 10C(1)(i) of the said by-law is deleted and the following substituted therefor:

(i) any use permitted in a "D" district except a district yard of a municipal corporation.

32. Section 10C(2) of the said by-law is amended by adding a heading entitled "HEIGHT REQUIREMENTS" at the introduction thereof.

33. Section 10F(4)(a) of the said by-law is deleted and the following substituted therefor:

(a) a front yard of a depth of not less than 6.0 metres (19.69 feet);

34. Section 11.(1)(xi) of the said by-law is deleted and the following substituted therefor:

(xi) One ground sign, wall sign or projecting sign, of an area of not more than 0.4 square metres (4.31 square feet), non-illuminated or illuminated by non-flashing, indirect, or interior means only, located at least 1.5 metres (4.92 feet), from the nearest street line in connection with a lodging house, tourist home, nursing home, residential care facility or short-term care facility.

35. Section 11.(1)(xi) of the said by-law is amended by renumbering paragraphs (a), (b) and (c) after the end of clause (h) as (i), (j) and (k), respectively.

36. Paragraph (xi) of Section 11.(1) on page 11-4 of the said by-law is renumbered (xii).

37. Section 11.(3) of the said by-law is amended by adding a heading entitled "AREA REQUIREMENTS" at the introduction thereof.

38. Section 11.(6) of the said by-law is amended by deleting the word "lot" in the fourth line and substituting in lieu thereof "structure".

39. Section 11A(1)(i) of the said by-law is amended by deleting the words "the city" in the third line and substituting in lieu thereof "a municipal".

40. Section 11A(6) of the said by-law is amended by deleting the word "lot" in the fourth line and substituting in lieu thereof "structure".

41. (1) Paragraph (viii) of Section 11B(1) of the said by-law, beginning "Any or all of the following...", is renumbered (ix).

(2) Section 11B(1)(ix) of the said by-law is amended by adding a heading entitled "ACCESSORY AND INCIDENTAL USES" at the introduction thereof.

42. (1) Section 11B(6) of the said by-law is amended by deleting the word "lot" in the fourth line and substituting in lieu thereof "structure".

(2) Section 11B(6) of the said by-law is amended by adding a heading entitled "LANDSCAPED AREA" at the introduction thereof.

43. Section 11C(1a)(b) of the said by-law is deleted and the following substituted therefor:

- (b) except as provided in clause (c), where a building or structure is distant not greater than 30.0 metres (98.43 feet), from a "DE", "DE-2", "DE-3", "RT-10", "RT-20", or "RT-30" District, the height of a building or structure shall not exceed twelve storeys or 39.0 metres (127.95 feet) in height;

44. Section 11C(1a)(c)(ii) of the said by-law is deleted and the following substituted therefor:

- (ii) "DE", "DE-2", "DE-3", "RT-10", "RT-20" and "RT-30" district, the height of a building or structure shall not exceed eighteen storeys or 57.0 metres (187.01 feet) in height.

45. Section 12.(1)(i) of the said by-law is amended by adding a heading entitled "RESIDENTIAL USES" at the introduction thereof.

46. (1) Paragraph (ii) of Section 12.(1) of the said by-law is renumbered (iv).

(2) Section 12.(1)(iv) of the said by-law is amended by adding a heading entitled "PUBLIC USES" at the introduction thereof.

47. Paragraph (iv) of Section 12.(1) of the said by-law is renumbered (v).

48. (1) Paragraph (v) of Section 12.(1) of the said by-law is renumbered (vi).

(2) Section 12.(1)(vi) of the said by-law is amended by adding a heading entitled "COMMERCIAL USES" at the introduction thereof.

49. Paragraph (vi) of Section 12.(1) of the said by-law is renumbered (ii).

50. Section 12.(1)(ix) of the said by-law is amended by adding a heading entitled "ACCESSORY USES" at the introduction thereof.

51. Section 13A(1)(xiii) of the said by-law is amended by adding the word "section," before the word "specifically" in the second line thereof.

52. Section 13B(1)(c) of the said by-law is deleted and the following substituted therefor:

(c) A restaurant with or without dancing or other entertainment;

53. Section 13B(7) of the said by-law is deleted and the following substituted therefor:

(7) Subsection 6 of section 6 and By-law No. 79-275 shall not apply to clauses (g), (h) and (j) of subsection 1.

54. Section 13C(3)(ii) of the said by-law is deleted and the following substituted therefor:

(ii) no side yard or rear yard shall be required except for a minimum 1.5 metres (4.92 feet) yard where any public parking lot, access driveway, parking space, loading space and manoeuvring space adjoins a residential district. Furthermore, there shall be provided and maintained between the boundary of the parking lot, access driveway, parking space, loading space and manoeuvring space and the residential district, an area landscaped with a planting strip.

55. Section 14.(1)(xviii) of the said by-law is amended by deleting the words "Any industrial use as permitted in a G district or" at the beginning thereof.

56. Section 14A(1)(ca) of the said by-law is deleted and the following substituted therefor:

(ca) A restaurant with or without dancing or other entertainment;

57. Section 14A(3)(a) of the said by-law is amended by adding a comma and the words "including a canopy," after the word "islands" in the twenty-first line thereof.

58. Section 15.(1)(xxiv) of the said by-law is amended by deleting the words "of Miscellaneous Products industry as classified in the reports of the Dominion Bureau of Statistics for Manufacturing Industries published in the year A.D. 1948" in the ninth, tenth, eleventh and twelfth lines and substituting in lieu thereof "as listed in Major Group 39 - (Other Manufacturing Industries) of the Standard Industrial Classification (SIC), 1980 by Statistics Canada".

59. Section 15A(3)(d) of the said by-law is renumbered Section 15A(4).

60. (1) Paragraphs 7 through 26 of Section 15B(3)(b) of the said by-law are renumbered 1 through 20, respectively.

(2) Paragraph 10 of Section 15B(3)(b) of the said by-law is deleted and the following substituted therefor:

10. A restaurant without any dancing or other entertainment except music, including a take-out and delivery food service.

61. Section 15B(3)(e) of the said by-law is amended by deleting the word "subclauses" in the second line and substituting in lieu thereof "clauses".

62. Section 15B(4) of the said by-law is amended by adding the word "and" after "'CR-2'" in the first line thereof.

63. Section 15B(10) of the said by-law is amended by adding "'CR-1", "CR-2" and" before "'CR-3'" in the first line thereof.

64. Section 15B(11)(a) of the said by-law is amended by deleting the words "lot is located" in the third and fourth lines and substituting in lieu thereof "the lot is located,".

65. Section 15B(27) of the said by-law is amended by adding the words "located on the same lot" at the end thereof.

66. Section 16.(1)(i) of the said by-law is amended by deleting the word "of" in the first line and substituting in lieu thereof "for".

67. Section 16.(1)(vi) of the said by-law is deleted and the following substituted therefor:

(vi) a dry-cleaning establishment, solid fuel supply yard, or a fuel-oil storage tank or gasoline storage tank;

68. Section 16B of the said by-law is repealed in its entirety.

69. Section 17B.(1)(i) of the said by-law is amended by deleting the words "row dwellings" in the fifth line and substituting in lieu thereof "townhouse dwellings, maisonette dwellings".

70. Section 17B(6)(a) of the said by-law is amended by deleting the number "35" in the third line and substituting in lieu thereof "34".

71. Paragraph E of Section 17B(6)(a)(i) of the said by-law is amended by deleting the ";" at the end and substituting in lieu thereof ", or".

72. Section 17B(6)(a)(i) of the said by-law is amended by adding the following thereto:

F. "R-2" (Urban Protected Residential - One and Two Family Dwellings) district, or

G. "R-4" (Small Lot Single-Family Detached) district;

73. Paragraph J of Section 17B(6)(a)(v) of the said by-law respecting the "M-11" (Prestige Industrial) district, is relettered "M.".

74. Section 18.(1) of the said by-law is deleted and the following substituted therefor:

(1) Notwithstanding the provisions of sections 3 to 17 inclusive, no land, building or structure shall be used in the area covered by this by-law for any commercial or industrial purpose likely to create danger to health or danger from fire or explosion and specified following, namely;

75. Section 18.(1a) of the said by-law is repealed in its entirety.

76. Section 18.(4)(if) of the said by-law is deleted and the following substituted therefor:

(if) All facilities for changing clothes in conjunction with swimming pools, or other such accessory uses shall be subject to the provisions of this by-law applicable to accessory buildings.

77. Section 18.(4)(v) of the said by-law is deleted and the following substituted therefor:

(v) Notwithstanding any other provisions of this by-law, a swimming pool pump, swimming pool heater, filtering equipment, central air conditioning unit, window air conditioning unit or heat pump in a residential district shall be distant not less than,

(a) 5.0 metres measured from the front lot line or rear lot line; and

(b) 2.4 metres from the side lot line;

of the property on which the swimming pool pump, swimming pool heater, filtering equipment, air conditioner or heat pump is situate.

78. Section 18.(5) of the said by-law is amended by adding the word "successful" after the word "upon" in the third line thereof.

79. The heading of Section 18.(8) of the said by-law is deleted and the following substituted therefor:

SPECIAL REQUIREMENTS FOR GROUPS OF TOWNHOUSE DWELLINGS,
MAISONETTE DWELLINGS, MULTIPLE DWELLINGS, ETC.

80. Section 18.(10)(i) of the said by-law is amended by adding a heading entitled "SETBACK OF BUILDINGS" at the introduction thereof.

81. Section 18A(5)(c) of the said by-law is deleted and the following substituted therefor:

- (c) the area contained within the perimeter of the building at each floor level including storeys below grade, other than a cellar;

82. Section 18A of the said by-law is amended by adding the appropriate Table headings, as follows:

TABLE 1 - MINIMUM REQUIRED PARKING FOR RESIDENTIAL, INSTITUTIONAL, PUBLIC AND COMMERCIAL USES

TABLE 2 - MINIMUM REQUIRED RESIDENTIAL VISITOR PARKING

TABLE 3 - MINIMUM REQUIRED LOADING SPACE - MULTIPLE DWELLINGS

TABLE 4 - MINIMUM REQUIRED LOADING SPACE FOR COMMERCIAL USES

TABLE 5 - MINIMUM REQUIRED LOADING SPACE FOR OFFICE USES

TABLE 6 - MINIMUM REQUIRED MANOEUVRING SPACE FOR PARKING AREAS

TABLE 7 - REDUCED PARKING REGULATIONS FOR INSTITUTIONAL, PUBLIC AND COMMERCIAL USES

83. Section 18A(36)1.(b) of the said by-law is deleted and the following substituted therefor:

- (b) a distance of not less than 12.0 metres (39.37 feet) between a residential district and the driveway and the parking area and manoeuvring area used in conjunction with a restaurant;

84. Clause 1.(j) in column 1 of TABLE 1 of Section 18A of the said by-law is amended by adding the words "Tourist Home;" after the word "Hostel;"

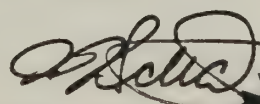
85. Section 5 of By-law No. 67-357, passed on the 19th day of December 1967, is deleted and the following substituted therefor:

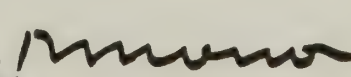
5. The said Zoning By-law No. 6593 is further amended by adding this amending By-law to Section 19B as Schedule "S-58" for those lands identified in Section 1 of this By-law.

86. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

87. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 30th day of June A.D. 1992.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 92-171

To Amend:

By-law No. 90-074

Respecting

DEVELOPMENT CHARGES

WHEREAS By-law 90-074 was passed on March 27, 1990;

AND WHEREAS City Council, on April 28, 1992, in adopting Item 14 of the 11th Report of the Finance and Administration Committee, authorized the holding of a public meeting as required by Section 4 of the Development Charges Act, R.S.O. 1990, Chapter D.9.;

AND WHEREAS a Notice of the public meeting was given by advertisement in The Hamilton Spectator on June 4, 1992 and June 5, 1992;

AND WHEREAS the public meeting was held on June 25, 1992, which is at least twenty days after the first publication;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Finance and Administration Committee, has heard all persons who applied to be heard no matter whether in objection to or in support of the by-law;

AND WHEREAS the Council of The Corporation of the City of Hamilton at its meeting on June 30, 1992 in adopting Item 53 of the 14th Report of the Finance and Administration Committee authorized this by-law to be enacted.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection (1) of Section 8 of By-law 90-074 is repealed and the following is substituted in lieu:

8. (1) Subject to the provisions of this part and this by-law, development charges against land to be developed for residential use shall be calculated and collected at the following base rates:

<u>Type of Residential Unit</u>	<u>Per Unit</u>
- Single detached dwelling, semi-detached dwelling, row dwellings	\$1,723.20
- two or more bedroom apartment	\$1,216.38
- bachelor and one-bedroom apartment	\$ 658.87

2. Subsections (1) and (2) of Section 13 are repealed and the following are substituted in lieu:

13 (1) Subject to the provisions of this part and this by-law, development charges against land to be developed for non-residential use shall be calculated and collected at the base rate of \$6,927.60 per hectare.

(2) Where the gross floor area of a building is greater than 50% of the gross area of the lot on which the building is or is to be located, a surcharge shall be applied at the rate of \$1.4208 per square metre to that portion of the building that is greater than 50% of the gross area of the lot.

3. (1) The changes in the development charges rates described in Sections 1 and 2 of this by-law are effective as of January 1, 1992.

(2) Notwithstanding subsection (2) of Section 18 of By-law 90-074, the City Treasurer is authorized to make any refund required by this By-law to the owner of the property who made the payment or on whose behalf the payment was made.

PASSED this 30th day of June, A.D. 1992.

[Signature]

City Clerk

[Signature]

Mayor



(1992) 14 R.F.A.C. 53, June 30

The Corporation of the City of Hamilton

BY-LAW NO. 92- 172

To Amend By-law 79-323 Respecting the Licensing of:

TAXI CABS AND LIVERY VEHICLES

WHEREAS Schedule 4a of The City of Hamilton Licensing Code, being By-law 79-323 as amended, provides for the licensing of passenger automobiles providing school transportation as Class "C" livery vehicles, and Schedule 4 of the same by-law provides for the licensing of taxi cabs;

AND WHEREAS it is considered desirable and expedient to have only taxi cabs conduct the activity that was carried on by Class "C" livery vehicles;

AND WHEREAS it is considered desirable and expedient to consolidate the by-laws which previously made amendments to Schedules 4 and 4a, and to correct grammar and syntax errors;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedules 4 and 4a, respecting taxi cabs and livery vehicles, of City of Hamilton By-law No. 79-323 as amended, are repealed and the attached schedules, which are included in and form part of this by-law, are hereby substituted as Schedules 4 and 4a of By-law No. 79-323.

PASSED this 30th day of June A.D. 1992.



City Clerk



Mayor

(1992)



SCHEDULE 4

TAXI-CABS

1. In this Schedule,

1. "City" means the City of Hamilton;
2. "driver's licence" means a licence issued to a taxi-cab vehicle driver under this by-law and "licensed driver" has a corresponding meaning;
- 2a. "Goods and Services Tax Legislation" shall mean an Act or Acts of the Parliament of Canada which, respectively has or have the effect of imposing a tax on goods and services on the value of such goods and services;
(90-357)
- 2b. "hourly rate" means the rate set by paragraph 1 of section 34;
3. "limited interest agreement" means a written agreement in FORM 4 wherein a limited interest in a licence is temporarily transferred by a plate owner, and containing terms and conditions prescribed in section 17(4) and any other terms and conditions not contrary to this by-law;
4. "livery vehicle" means a vehicle licensed under Schedule 4a of this by-law.
(new)
5. "owner" includes the owner of a vehicle or a purchaser of a vehicle under contract, agreement, understanding or arrangement;
6. "owner's licence" means, as the case may be,
 - (i) a licence taken out by a vehicle owner authorizing the use of the vehicle as a taxi-cab; or
 - (ii) a limited interest licence taken out by a plate user authorizing the use of the vehicle as a taxi-cab;
7. "plate owner" means a person who holds a taxi-cab licence but who has ceased owning the taxi-cab respecting which the licence was issued;
8. "plate user" means an individual owner who enters into a limited interest agreement with a plate owner;
9. "private cab" means a taxi-cab which uses a two-way radio or other form of dispatch to locate passengers, but does not include a public cab; (new)

10. "public cab" means a taxi-cab that operates from a public taxi-cab stand, and is without a two-way radio or other form of radio dispatch to locate passengers not at a public taxi-cab stand; (new)
11. "public taxi-cab stand" means a stand or place on a highway assigned by the City for the purpose of providing a site for the congregation of public taxi-cabs awaiting passengers;
12. "spare vehicle" means a vehicle that can be used as a taxi-cab in substitution of a vehicle in respect of which an owner's licence has been issued, pursuant to the provisions of this by-law;
13. "taxi-cab" means a motor vehicle as defined in the Highway Traffic Act, having a seating capacity of not more than six persons, exclusive of the driver, hired for one specific trip for the transportation exclusively of one person or group of persons, one fare or charge only being collected or made for the trip, but does not include a livery vehicle; (new)
14. "taxi-cab broker" means any person who accepts calls in any manner for taxi-cabs that are used for hire and that are owned by a person other than the taxi-cab broker, his or her immediate family, or his or her employer;
15. "taxi-cab driver" means a person whose occupation is driving a taxi-cab;
16. "taxi-cab owner" means, as the case may be,
 - (i) a person who is the owner of a taxi-cab; or
 - (ii) a plate user;
 - (iii) a person referred to in clauses (i) or (ii) to whom an owner transfers his or her licence.

PART 1

Administration

2.(1) Every person who is and carries on business as,

- (a) a taxi-cab owner;
- (b) a taxi-cab driver;
- (c) a taxi-cab broker,

shall obtain from the City a licence authorizing that person to carry on or engage in the trade, calling or business of conveying passengers for hire in a taxi-cab.

(2) No person required to obtain a licence under Subsection (1) shall carry on or engage in the trade, calling or business of conveying passengers for hire in a taxi-cab without a licence.

(3) Where a person is required to obtain a licence under Subsection (1),

(a) a separate licence certificate shall be issued for each licence applied for, and

(b) a separate licence certificate shall be issued for each taxi-cab.

(4) Every licence certificate issued to a taxi-cab owner or a taxi-cab broker shall clearly identify the one vehicle in respect of which the licence was issued to the taxi-cab owner or taxi-cab broker.

(5) Notwithstanding the provisions of this schedule, a taxi-cab owner's licence may be issued for or transferred to a vehicle which has seating for more than six passengers, provided that all other requirements of this schedule are complied with, not limited to but including the requirements for issuance of the licence and operation of the vehicle. (new)

3. Notwithstanding any other provision of this schedule, no taxi-cab owner's licenses shall be issued, except for renewals or transfers approved, until Council authorizes the issuance of the licenses for that year. (new)

4.(1) Every applicant for a broker's licence, an owner's licence or a driver's licence, or a renewal of the licence shall attend at the office of the Issuer of Licences and make and file an application in person and not by an agent or representative.

(2) Where a taxi-cab is owned by,

(a) a partnership, a partner shall attend for the purpose of subsection (3);

(b) a limited company, the chief operating officer of the company shall attend for the purpose of subsection (3).

(3) Every applicant for an owner's licence shall fully complete an application on FORM 1 hereto annexed as Schedule "A".

(4) Every applicant for a driver's licence shall fully complete an application on FORM 2 hereto annexed as Schedule "B".

(5) No application shall be accepted as made and filed unless shown therein are,

(a) the approval of the taxi-cab owner, and

(b) the approval of the taxi-cab broker as to whose place of business that taxi-cab is located.

(6) Every applicant for a licence as a taxi-cab driver shall, in addition to any other information required under this Schedule, with every application and renewal of application,

(a) provide for inspection by the Issuer of Licences, a Class G licence issued under The Highway Traffic Act; and

(b) sit for a photograph to be taken by the Licence Administrator at the expense of the applicant.

5.(1) Every applicant for a licence shall, before a licence is issued, undertake and successfully complete one or more written tests pertaining to his or her knowledge of,

(a) the operation of a taxi-cab, and of this by-law, as it relates to taxi-cabs and livery vehicles;

(b) the laws and regulations pertaining to traffic and motor vehicles;

(c) the relationship between taxi-cab drivers and livery vehicle drivers in respect of passengers including duties, behaviours, appearance, decorum;

(d) the use of the equipment part of taxi-cabs including two-way radio, taximeter, and roof lights;

(e) the use of trip sheets, making damage reports and record keeping; and

(f) the location of streets, public buildings, hospitals, transportation terminals, points of interest and use of street guides.

(2) Notwithstanding any other provision of this Schedule, no licence shall be issued to an applicant unless,

(a) the applicant achieves not less than 70% on each test required to be undertaken; and

(b) the applicant has a photo identification taken by the city.

6.(1) Before a licence is issued, the taxi-cab owner or taxi-cab driver may provide a medical certificate on a form supplied by the City signed by a duly qualified medical

practitioner in the Province of Ontario, certifying that the owner or driver of the taxi-cab is physically and mentally fit to drive a taxi-cab.

(2) Every taxi-cab owner and taxi-cab driver shall provide a certificate of the Medical Officer of Health of the City as to the health of the owner or driver from time to time as the City may require by notice in writing delivered by first class mail to the owner or driver at his business address or place of residence.

7. Every taxi-cab broker, taxi-cab owner and taxi-cab driver shall be at least eighteen years of age.

8. Every taxi-cab broker, taxi-cab owner and taxi-cab driver shall notify the Issuer of Licences within 7 days of a change of address and produce his or her licence for that change of address to be entered.

9.(1) No transfer of an owner's licence certificate from a taxi-cab owner to a purchaser of the licence shall be approved unless,

(a) the purchaser makes and files an application on FORM 3, hereto annexed as Schedule "C", and pays the transfer fee;

(b) the purchaser files a statutory declaration at the time of application that all provisions of this Schedule respecting the condition of the vehicle and requirements thereon under this by-law have been complied with; and

(c) the purchaser files a statutory declaration by the vendor of the vehicle and the purchaser of the taxi-cab to which is attached an executed copy of the agreement of purchase and sale showing full financial details of the transaction, and any other details as requested by the Licence Administrator.

(2) Nothing in subsection (1) shall obligate the City to approve the transfer of the licence.

10. No licensee who is the holder of a licence as a taxi-cab owner shall enter into any written or oral agreement, directly or indirectly, permitting or acquiescing in the operation of the taxi-cab for which the licence was issued, by any other person who is not a licensed taxi-cab driver.

11.(1) No person being the owner of a taxi-cab equipped with a taxi-meter and to whom a licence has been issued shall, without the approval of the Licence Committee, carry on or permit to be carried on the business of conveying passengers for hire in a taxi-cab or permit any person to drive the taxi-cab for hire, where the monetary interest of the person to whom a licence has been issued is less than 50% of the fair market value of the taxi-cab.

(2) For the purpose of subsection (1), "fair market value" is an amount that a licensed taxi-cab equipped with a taxi-meter might be expected to realize if sold in the open market by a willing seller to a willing buyer, but not more than an amount determined by the Licence Committee.

PART 2

Taxi-cab Owners

12. Every taxi-cab owner shall comply with the following regulations:

1. Before acting as a taxi-cab driver,

(a) comply with all the requirements for the issuance of a taxi-cab driver's licence under Section 3, except that payment of the fee for issuance of a driver's licence shall not be required; and

(b) obtain the approval of the Licence Committee, duly endorsed and shown on the owner's licence.

2. Before issuance of an owner's licence, provide the City, in writing, with the following information in respect of every vehicle to be used as a taxi-cab vehicle,

(a) certificate of ownership,

(b) certificate of insurance, and

(c) a current Safety Standard Certificate as issued by the Ministry of Transportation.

3. For each taxi-cab for which the owner holds a licence, and before use of the taxi-cab,

(a) where the taxi-cab is to be used for the carrying of parcels, letters, documents, goods or chattels, obtain a policy or policies of insurance in respect of same;

(b) obtain a policy of insurance in respect of the taxi-cab in an amount not less than \$500,000.00, exclusive of interest and costs, against loss or damage resulting from bodily injury to or death of one or more persons or from loss or damage to property resulting from any one accident;

(c) provide a special endorsement to the policy of insurance referred to in clause (a), for passenger hazard in an amount not less than \$500,000.00, exclusive of interest and costs; and

(d) cause to be endorsed on the policy of insurance referred to in clause (a), that the City shall be given at least ten days prior notice of any cancellation, expiration or change in the amount of the insurance or in terms of the policy;

(e) deposit a certified true copy of the policy of insurance and all endorsements with the City.

4. Maintain the policy of insurance referred to in regulation 3 of this section in force and effect during the entire period of time for which the licence is issued and in force and effect.

5. Use or permit to be used a taxi-cab only where prior to its use,

(a) the owner has produced a registration issued under the Highway Traffic Act, in respect of the class of motor vehicle to be used as a taxi-cab;

(b) the City has been informed of any changes in the motor vehicle registration;

(c) the owner has submitted the motor vehicle to the City for inspection and approval and has obtained authorization for the vehicle to be used; and

(d) the taxi-cab is equipped with a two-way radio where the taxi-cab owner is the plate user.

6. Subject to The Highway Traffic Act, not use or permit to be used any taxi-cab that does not have affixed to the vehicle,

(a) a City of Hamilton licence plate having an identity number and clear indication that the taxi-cab is licensed for use in the taxi-cab business as either a public taxi-cab or a private taxi-cab; or

(b) a duplicate licence plate, as may be supplied by the City at the expense of the owner of a taxi-cab where the original licence plate has been lost, defaced or destroyed.

7. Affix to the back of each taxi-cab in a manner and in a position approved by the City any taxi-cab licence plate issued by the City and maintain the licence plate only in the approved position during the period for which the licence is in force and effect.

8. Affix a taxi-cab licence plate to a spare vehicle registered under Part 5 of this Schedule only with the consent of the City and in accordance with the provisions of Part 5 of this Schedule.

9. Affix to both sides of the exterior of every vehicle a number, in sequence designated by the City, which is,

- (a) not less than six inches in height;
- (b) in contrasting colours to the colour of the vehicle; and
- (c) affixed in a location approved by the City.

10. Permanently and securely affix on top of the taxi-cab an illuminated sign approved by the City and connected to the taximeter,

- (a) indicating the word "taxi"; or
- (b) indicating the name and telephone number of the licensed owner of the taxi-cab, or the taxi-cab broker with whom the taxi-cab is associated.

11. Equip each taxi-cab with a taxi-meter, for the calculation and display of the costs of a trip, capable of meeting the requirements of paragraph 12 below. (new)

12. Cause each taxi-meter to be,

- (a) submitted for the testing, inspection and sealing by such person as the Chief Licence Inspector designates and at such times and locations as designated;
- (b) illuminated between sunset and sunrise;
- (c) in a raised position, such that the charges are plainly visible to, and readable by, all passengers;
- (d) adjusted in accordance with the rates prescribed by PART 12 of this Schedule;
- (e) tested and approved by the Chief Licence Inspector, by running the taxi-cab to which it is attached over a measured track, route, or distance, or by suitable mechanical means, before being sealed;
- (f) used only when the seal thereon is intact;
- (g) kept in good working condition at all times and not used when defective in any way;
- (h) numbered and not used until approved by the Chief Licence Inspector or other person designated by the City;

(i) used only if the taxi-meter is connected with the electric sign referred to in Regulation 11 of this section in such a manner that the sign is lighted when the taxi-meter is extinguished and not operating when the taxi-meter is operating.

(90-357)

13. Affix and maintain affixed an approved tariff card, containing rates in accordance with those set out in PART 12 of this Schedule, and specifying goods and services tax, in a place in the taxi-cab in such a manner that the tariff of charges is plainly visible to, and readable by, all passengers.

(90-357)

14. Cause a taxi-cab to be submitted for inspections from time to time by such person and at such times and places as the City may designate.

15. Make such improvements or repairs to the taxi-cab, its equipment or any component thereof as may be required by the City and within such time period specified by the City, to such standards as may be approved by the Licence Committee.

16. Immediately check for mechanical defects in the taxi-cab reported by a driver.

17. Not operate or permit to be operated as a taxi-cab any vehicle not in good mechanical condition.

18. Not operate or permit to be operated as a taxi-cab any vehicle unless a Motor Vehicle Safety Certificate on a form and in a manner approved by the Province of Ontario has been filed with the City in a manner and frequency approved by the Licence Committee.

19. Display or permit to be displayed, no advertisement, whether a sign, picture or painted message, on or in the taxi-cab except,

(1) Not more than five interior advertising signs, each not exceeding 26 centimetres by 31 centimetres in size, placed on the back of the front seat in such a way as to not obscure the vision of the driver, or the view from the rear seat of the vehicle of the photo identity card, meter, licence and tariff card; and;

(2) One rooftop mounted sign with interior illumination, provided that;

(a) the sign does not exceed 122 centimetres in length, 79 centimetres in width, and 46 centimetres in height,

(b) the sign is securely mounted to the vehicle, so that the sign and any advertising materials exhibited are unlikely to loosen or separate from the vehicle during operation,

(c) if the said rooftop sign obstructs or replaces any taxi roof sign required under paragraph 10 of section 12 of this Schedule, the vehicle shall have visible, from the front and rear of the vehicle, a rooftop sign with the same operation and content as that required under the said paragraph 10, indicating the name, number and owner of the taxi-cab, or its brokerage, and

(d) further provided that upon the addition of the rooftop sign to the vehicle, any exterior advertisement, except those for the taxi-brokerage but including the type mentioned in sub-paragraph (3), must be removed the sooner of when the vehicle is repainted, replaced, or the second anniversary of the date of passage of this by-law.

(3) One exterior painted advertisement measuring not more than 16 centimetres by 92 centimetres in size, provided that said advertisement is painted on the rear end of the vehicle and does not cover the licence plates, unless the rooftop sign permitted in sub-paragraph (2) above is added to the vehicle, in which case clause (d) above applies to the removal of the advertisement.

(90-338)

20. Not employ or permit any person other than a licensed taxi-cab driver employed by the taxi-cab owner to operate his or her taxi-cab.

21. At the request of a taxi-cab driver, give to the driver at the expiry of the driver's work shift a receipt showing the amount turned over to the owner by the driver.

22. Maintain a trip record on FORM 5 hereto annexed as Schedule "E" or a reasonable facsimile thereof of every trip, for a period of not less than three months or for such longer period as may otherwise be specified by the City by notice in writing, upon which each of the taxi-cabs is dispatched.

23. Permit the City or any person authorized by the City to remove the records referred to in regulation 22 for the purpose of inspection.

PART 3

Limited Interest Agreements

13.(1) Notwithstanding any provision of this Schedule, a plate owner may continue to hold a licence issued to that person as owner of a taxi-cab.

(2) A plate owner may enter into a limited interest agreement for use of the vehicle as a taxi-cab.

(3) No agreement except a limited interest agreement shall establish the eligibility of a plate user for a limited interest owner's licence.

(4) No plate owner shall transfer directly or indirectly or purport to transfer any limited interest in a taxi-cab owners licence to any person other than a plate user.

(5) No plate user shall transfer the whole or any part of a limited interest owner's licence to any other person and any such direct or indirect transfer is null and void.

14.(1) Every person who seeks to be a plate user shall complete the limited interest agreement on FORM 4 hereto annexed as Schedule "D", along with the plate owner.

(2) No more than two limited interest agreement shall be entered into by a plate owner in respect of the licence issued to the plate owner and any transfer of more than two limited interest agreement in the licence is null and void.

(3) Every limited interest agreement shall be filed with the Issuer of Licences prior to any transfer or rights to the plates and at least seven days before the date on which the limited interest agreement comes into force, whichever is first.

(4) No application for a limited interest owner's licence shall be accepted unless the limited interest agreement on FORM 4 hereto annexed as Schedule "D" is fully completed and duly executed and witnessed.

(5) Where a limited interest agreement referred to in Section 13(2) is for a period in excess of one year, the plate user shall file with the City within seven days of the date on which the yearly period ends,

(a) a notice in writing satisfactory to the Issuer of Licences that the agreement is in full force and effect and has not been revised, amended, altered or changed in any way; or

(b) a copy of the revised, amended, altered or changed agreement.

15. Every limited interest agreement shall include the following information set out in a manner and in a form satisfactory to the Issuer of Licences:

1. The name and business address of the plate owner and plate user.
2. The make, model, serial number, year of taxi-cab and full description of all equipment appurtenant thereto and serial numbers, if any.
3. The motor vehicle permit plate number issued under The Highway Traffic Act.
4. The City of Hamilton taxi-cab licence number and year.
5. The date on which the plate owner was issued the licence proposed to be the subject of the limited interest agreement.
6. That the plate user is the sole owner in his or her right of the taxi-cab.
7. The plate user is the holder of a current motor vehicle permit issued under The Highway Traffic Act.
8. Full particulars of all consideration given by each party to the limited interest agreement, in money or in any other kind, direct or indirect including fees or rental, and a breakdown of all other amounts given by the plate user to the plate owner, together with a list of all services, rights or other consideration given to the plate user by the plate owner in return therefor.
9. Full particulars as to the responsibility of each of the parties for the maintenance, repairs, gas and oil for the taxi-cab, and any requirements as to where and how such maintenance, repairs or purchases are to be made and as to payment therefor.
10. A term to the effect that where the plate user transfers or purports to transfer the limited interest, that the limited interest agreement is immediately terminated on a date fixed by the plate owner.
11. Date of termination of the limited interest agreement and in the case of a periodic limited interest agreement, particulars as to whether the agreement is on a daily, weekly, monthly, yearly or other basis.
12. Date on which the limited interest agreement comes into force and date of execution by the parties and date the agreement is witnessed.

16. The amount of consideration in the limited interest agreement upon approval by the Licence Committee shall be deemed to be full and fair, and no additional consideration shall be required, directly or indirectly, from the plate user.

17.(1) Every limited interest agreement and every written agreement referred to in Section 14(5), shall expire upon the sale or other disposition of the taxi-cab by the plate user.

(2) A limited interest licence taken out by a taxi-cab owner shall expire on the date the plate user ceases using the vehicle as a taxi-cab or otherwise transfers ownership in the vehicle to another person.

(3) When a limited interest agreement is for a term of more than seven days, the limited interest agreement may be terminated upon seven days notice in writing to the other party and to the City.

(4) Every plate owner and every plate user shall notify the Issuer of Licences in writing, of the expiration or termination of the limited interest agreement not later than seven days after the date of expiration or termination and include in the notice the following information:

1. The proposed use of the taxi-cab, if any.
2. The name and address of any other proposed plate user of the taxi-cab.
3. The identify of the person having custody and control of the taxi-cab after the date of expiration or termination.

PART 4

Taxi-cab Drivers

18. Every taxi-cab driver shall comply with the following regulations:

1. Not drive a taxi-cab unless a valid taxi-cab driver's licence has been issued to him or her.
2. Operate a taxi-cab only if the taxi-cab is,
 - (a) in clean condition as to its interior and exterior;
 - (b) in good repair as to its interior and exterior;
 - (c) dry as to its interior;

(d) free from mechanical defects;

(e) in fit condition for the purpose for which the vehicle is used; and

(f) in safe driving condition.

3. Examine the taxi-cab for any defects,

(a) immediately before the taxi-cab is to be driven for a shift; and

(b) immediately after the taxi-cab has been driven during a shift.

4. Not drive a taxi-cab unless the taxi licence plate issued by the City is affixed, as required by this Schedule, to the taxi-cab for which it was issued.

5. Subject to Part 5, not drive a spare vehicle as a taxi-cab without a taxi licence plate affixed to it in a manner and location approved by the City.

6. Carry his or her taxi-cab driver's licence with him or her at all times while operating the taxi-cab.

7. Immediately produce for inspection, the taxi-cab driver's licence and the Province of Ontario driver's licence upon request to do so by a by-law enforcement officer or police officer.

8. Operate only from a public taxi-cab stand, where the taxi-cab is a public taxi-cab.

9. Not drive a taxi-cab with luggage or other material piled or placed in a manner that obstructs the view of the taxi-cab driver.

10. Not carry in a taxi-cab used for hire a greater number of occupants or persons than the manufacturer's rating of seating capacity of such taxi-cab, inclusive of the driver.

11. Affix and maintain affixed when driving a taxi-cab a photo identity card in a place in the taxi-cab approved by the Licence Committee and in such a manner that the photograph and name are plainly visible and readable by a passenger in the back seat.

12. Not drive a taxi-cab unless an illuminated sign as required by this Schedule, is displayed on the roof.

13. Not drive a taxi-cab unless the City's current licence number is displayed as required by this Schedule.

14. Not drive the taxi-cab unless the taxi-meter is installed and in proper working condition and is illuminated and sealed.

15. Not wash or clean the taxi-cab while upon a public taxi-cab stand.

16. Not make repairs to the taxi-cab while upon a public taxi-cab stand unless the repairs are immediately required to render the taxi-cab operable.

17. While in charge of a taxi-cab,

(a) maintain his or her person in a neat and clean appearance; and

(b) be civil, well-behaved and polite in manner.

18. While in charge of a taxi-cab at a public taxi-cab stand,

(a) stand or sit sufficiently close to the taxi-cab so as to have it under constant close observation;

(b) not obstruct the use of the sidewalk; and

(c) not make any loud noise or disturbance.

19. Not induce any person to employ the taxi-cab,

(a) by knowingly misleading or deceiving such person as to the location or distance of any place; or

(b) by making any false representation to such person.

20. Not take on any additional passengers after the taxi-cab has departed with one or more passengers from a starting point except where,

(a) the taxi-cab is being used for the transportation of students to or from school,

(b) the taxi-cab driver has obtained the voluntary consent of the passengers already in the taxi-cab, or

(c) an emergency condition exists and has been declared such by the Chief of Police.

21. Not refuse to serve the first person requesting service of the taxi-cab, except where the person,

- (a) owes the taxi-cab driver for a previous fare or service;
- (b) refuses to disclose his or her final destination before or immediately after entering the taxi-cab;
- (c) asks to be driven to any place that the taxi-cab driver considers on reasonable grounds to be unsafe;
- (d) is obnoxious or abusive, or acts or uses language in a manner which reasonably leads the taxi-cab driver to anticipate,
 - (i) obnoxious behaviour,
 - (ii) refusal to pay all or part of the fare, or
 - (iii) physical injury to the taxi-cab driver or the taxi-cab.

22. Not refuse to serve any person other than the first person requesting service of the taxi-cab, except where the taxi-cab driver,

- (a) has previously arranged for an engagement, and
- (b) upon demand by a Licence Inspector or a Police Constable, gives the name and address of the person by whom he is so engaged and the time and place of such engagement.

23. Immediately record, as the taxi-cab driver, the reason for not serving any person requesting service of the taxi-cab.

24. Keep a daily record, called a "trip record", on FORM 5 hereto annexed as Schedule "E" to record all trips made by the taxi-cab.

25. Record the following information in the trip record of a taxi-cab:

- (a) the Provincial permit number of the taxi-cab,
- (b) the name, address and identification number of the driver of the taxi-cab;
- (c) the meter reading of the taxi-cab at,
 - (i) the start of each working period, and

(ii) the finish of each working period.

(d) the date, time and location of the beginning and termination of each trip;

(e) the amount of fare collected for each trip.

26. Record the information required by regulation 25(a), (b) and (c)(i), prior to the commencement of every shift.

27. Record the information required by regulation 25(d) and (e) immediately following the conclusion of every trip and prior to the commencement of the next following trip.

28. While carrying passengers, charge only the exact rate of fare in accordance with PART 12 except where,

(a) the driver and passenger agree before the start of the trip,

(i) to an hourly rate; or

(ii) to a flat rate where the trip extends more than five kilometres beyond the City limits; (90-357)

(b) the taxi-cab is used for the transportation of students to and from school; or

(c) there is a prior contractual agreement to carry parcels or goods.

29. Not publish or use a tariff card other than the tariff card supplied by the City.

30. Charge or collect only one fare, calculated in accordance with Part 12, even when transporting two or more passengers.

30a. Paragraph 30 above shall not prevent the collection of the fare calculated in accordance with Part 12 in proportions from passengers where they have agreed amongst themselves to split the costs of the trip. (new)

31. Place the taxi-meter in a recording position only when a passenger first enters the taxi-cab, or while waiting for a passenger who has previously engaged a taxi-cab.

32. Place the taxi-meter in a non-recording position when,

(a) the passenger discharges the taxi-cab; or

(b) the taxi-cab arrives at its destination for the purpose of discharging the passenger.

33. While conveying passengers, keep and maintain the taxi-meter in a recording position throughout a trip within the city limits and within five kilometres therefrom. **(90-357)**

34. Take the shortest possible route to the destination specified by the passenger unless the passenger specifies another route.

35. Not charge a passenger for any fare for a trip,

(a) in a taxi-cab during any time the taxi-meter is not in a recording position; or

(b) where the taxi-cab driver refuses to show the tariff card to the passenger.

36. Not make any charge for time lost for any of the following reasons:

(a) Defect in the taxi-cab.

(b) Inefficiency or disrepair of the taxi-cab.

(c) Incompetence of the driver of the taxi-cab.

(d) Time consumed by arrival of the taxi-cab in response to a call in advance of the time such has been requested by the person calling for the taxi-cab.

37. Give a passenger a receipt showing the names of the passenger and the taxi-cab driver, and including his or her identification number, taxi-cab number, place of engagement and destination or place where the passenger exits from the taxi-cab,

(a) upon request by the passenger; or

(b) where there is a dispute with a passenger over the fare.

38. Immediately upon termination of any hiring or other engagement,

(a) search the taxi-cab for any property lost or left therein; and

(b) deliver any lost or left property over to the owner of same; or

(c) deliver the lost or left property to the taxi-cab broker; or

(d) where the owner cannot be found, deliver the lost or left property to the licence authority with any and all relevant information concerning the property.

39. Upon entering a taxi-cab stand, take the taxi-cab into position at the end of the line formed by taxi-cabs already on the taxi-cab stand.

40. Not permit, while in charge of a taxi-cab, any person other than the owner or an employee of the owner of the taxi-cab, to drive the taxi-cab.

41. At the conclusion of every trip,

(a) call the passenger's attention to the fare registered on the taxi-meter of a taxi-cab; and

(b) place the taxi-meter in the taxi-cab in a non-recording position.

42. Immediately report to the owner of the taxi-cab,

(a) any defect of which the taxi-cab driver is or becomes aware;

(b) any accident in which the taxi-cab driver was involved while operating the taxi-cab;

(c) any enforcement tickets or summons issued to the taxi-cab driver by an enforcement officer for violations occurring during that shift.

43. At the expiry of every work shift or work period, turn over to the employer of the taxi-cab driver,

(a) all monies received by the taxi-cab driver as fares, but not including any amount due to the driver as commission where previously agreed by the employer,

(b) the trip record no later than one hour after the end of his shift;

(c) any taxi-cab used by the taxi-cab driver during the shift or work period.

PART 5

Spare Vehicles

19.(1) The owner of one or more spare vehicles may, with approval of the City, register the vehicles with the City for use as a spare vehicle.

(2) Every taxi-cab owner of a spare vehicle that is used to substitute for a taxi-cab in respect of which an owner's licence has been issued, shall comply with the following regulations:

1. Affix to both sides of the exterior of every spare vehicle a number, in sequence designated by the City, which is,

(a) not less than six inches in height; and

(b) in contrasting colours to the colour of the vehicle; and

(c) affixed in a location approved by the City.

2. Affix the taxi plate issued by the city in respect of the taxi-cab being replaced to the spare vehicle in a manner and location approved by the City.

3. Comply with all other provisions of this Schedule applicable to a taxi-cab owner.

(3) Every driver of a spare vehicle that is used to substitute for a taxi-cab in respect of which an owner's licence has been issued, shall comply with the provisions of this Schedule applicable to a taxi-cab driver.

PART 6

Priority List

20.(1) Subject to Subsections (2) and (3), where an application has been made by an individual for an owner's licence that is not a renewal of a licence, and the applicant otherwise complies with the applicable provisions of this Schedule, his or her name and address shall, upon approval of the application by the Licence Committee and payment of application fee, be entered on a list entitled "Taxi-cab Priority List", which list was originally approved by Council on July 25, 1989.

(2)(a) No applicant's name shall be entered on the Taxi-cab Priority List that is not an individual.

(b) No applicant's name shall be entered on the Taxi-cab Priority List where the applicant has previously been issued one or more taxi-cab owner's licence by the City of Hamilton from the Taxi-cab Priority List.

(3)(a) No applicant's name shall be entered more than once on the Taxi-cab Priority List.

(b) Where an applicant's name appears more than once on the Taxi-cab Priority List, the name that is recorded at the highest position on the priority list shall be maintained on the list, and all duplicate names shall be deleted from the list.

(4) Notwithstanding subsection (1), the Licence Committee may,

(a) delete names of applicants from; or

(b) add names of applicants in order of the date of application to, the Taxi-cab Priority List.

21.(1) Where an owner's licence has been issued or denied to an applicant whose name appears on the Priority List, the applicant's name shall be deleted from the list.

(2) Only one licence shall be issued to an applicant for a taxi owner's licence from the Taxi-cab Priority List.

(3) Subsection (2) shall not apply to any applicant whose name is recorded on the Taxi-Cab Priority List as approved by the Council of The Corporation of the City of Hamilton on July 25, 1989.

22. Where an applicant's name has been entered upon the Taxi-cab Priority List he or she shall lodge with the Licence Administrator proof of compliance with paragraphs 3 and 5 of section 12 of this Schedule, within 14 days of notification by the Licence Administrator that an owner's licence may be issued to the applicant. **(89-316)**

23.(1) Notwithstanding any other provision of this Schedule, where an application is made to have a name entered on the Taxi-cab Priority List, the application shall not be approved and the applicant's name shall not be entered on the Taxi-cab Priority List unless the applicant complies with the following regulations:

1. The applicant shall file with the Licence Administrator, as part of the application on FORM 1 annexed hereto as Schedule "A",

(a) a statutory declaration on FORM 1 that he or she is presently and actively engaged full-time in the City of Hamilton taxi-cab industry as,

- (i) a taxi-cab owner,
- (ii) a licensed taxi-cab driver,
- (iii) a taxi-cab dispatcher, or
- (iv) a taxi-cab telephone service operator,

for a period of not less than one (1) full year immediately preceding the date of the application for entry on the Taxi-cab Priority List, and

(b) either,

(i) a certified true copy by Revenue Canada of income tax returns for the calendar year immediately preceding the date of the application, and/or

(ii) any one of, or any combination of, the following in respect of the one year immediately preceding the date of the application,

1. certified copy of record of employment,
2. statement(s) of insurable earnings as issued by the Unemployment Insurance Commission,
3. statement(s) of contributions to the Canada Pension Plan as issued by Revenue Canada,
4. monthly charge statements as issued by a taxi-cab broker operating in the City of Hamilton,
5. original trip records, or
6. such other or equivalent documentation as the Licensing Committee may accept.

(2)(a) For the purposes of Subsection 23(1)1.(a)(ii),

(i) "one full year" shall mean not less than 100 shifts or the equivalent thereof;

(ii) "shift" shall mean a period of not less than 12 consecutive hours;

(b) for the purposes of Subsection 23(1)1.(a)(iii) and (iv),

(i) "one full year" shall mean not less than 150 shifts or the equivalent thereof;

(ii) "shift" shall mean a period of not less than 8 consecutive hours.

(89-316)

24.(1) Applications for renewal of a name that has been entered on the Priority List must be filed annually with the Licence Administrator, no later than the 30th day of September. (89-316)

(2) Applications under Subsection (1) must be accompanied by the annual renewal fee as prescribed in Part II.

(3) Nothing in Subsections (1) and (2) shall obligate the City to issue a taxi-cab owner's licence to the applicant when his or her name comes to the top of the Taxi-Cab Priority List.

(4) Where an applicant under this Section fails to meet the requirements of this Section, his or her name shall be deleted from the Taxi-Cab Priority List.

25.(1) Notwithstanding any other provision of this Schedule, no licence shall be issued to an applicant whose name has been entered on the taxi-cab Priority List unless the applicant complies with the following regulations:

1. The applicant shall file with the Licence Administrator within 14 days of the date of notice by the Licence Administrator and prior to consideration of the application by the Committee,

(a) a statutory declaration on FORM 1A annexed hereto as Schedule "B" that he or she has actually engaged in operating a taxi-cab full-time in the City as,

- (i) a taxi-cab owner,
- (ii) a licensed taxi-cab driver,
- (iii) a taxi-cab dispatcher, or
- (iv) a taxi-cab telephone service operator,

for a period of not less than two (2) full and consecutive years immediately preceding the date of consideration of the application by the Licence Committee; and

(b) either,

- (i) a certified true copy by Revenue Canada of income tax returns for two consecutive years immediately preceding the date of consideration of the application by the Licence Committee; and/or

(ii) any one of, or any combination of the following in respect of the two consecutive years immediately preceding the date of consideration of the application by the Licence Committee:

1. certified copy of record of employment,
2. statement(s) of insurable earnings as issued by the Unemployment Insurance Commission,
3. statement(s) of contributions to the Canada Pension Plan as issued by Revenue Canada,
4. monthly charge statements as issued by a taxi-cab broker operating in the City of Hamilton,
5. original trip records, or
6. such other or equivalent documentation as the Licensing Committee may accept.

(2)(a) For the purposes of subsection 25(1)1.(a)(ii),

(i) "one full year" shall mean not less than 100 shifts or the equivalent thereof;

(ii) "shift" shall mean a period of not less than 12 consecutive hours;

(b) for the purposes of subsection 25(1)1.(a)(iii) and (iv),

(i) "one full year" shall mean not less than 150 shifts or the equivalent thereof;

(ii) "shift" shall mean a period of not less than 8 consecutive hours.

(3) Where an applicant does not comply with the requirements of Subsections (1) and (2), his or her name shall be deleted from the Taxi-cab Priority List and no licence shall be issued to that applicant.

(89-316)

(4) (REPEALED)

(5) (REPEALED)

26.(1) Notwithstanding Section 25, where an applicant under Section 25 is unable to meet the requirements of Subsection (1) of that section for medical reasons only, the applicant may file in lieu thereof a statutory declaration that he or she has actually engaged in operating a taxi-cab full time in the City as,

- (i) a taxi-cab owner,
- (ii) a licensed taxi-cab driver,
- (iii) a taxi-cab dispatcher, or
- (iv) a taxi-cab telephone service operator,

for a period of not less than two (2) consecutive years immediately preceding the onset of the medical disability.

(2)(a) Where an applicant elects to file a declaration under Subsection (1), on or before the date of consideration of the application by the Licence Committee, the applicant shall provide evidence, to the satisfaction of the Licence Committee, of the medical disability from not less than two duly licensed medical practitioners of the applicant's choice.

(b) In addition to the requirements of Subsection (2)(a), an applicant under Subsection (1) shall submit to a medical examination by a medical practitioner selected by the Licence Committee and The Regional Municipality of Hamilton-Wentworth Human Resources Department.

(3) Nothing in this Section shall operate to relieve an applicant from any other applicable conditions or requirements of this Schedule.

(4) Where an applicant under this section fails to meet the requirements of this Section or the requirements of Section 25, as the case may be, his or her name shall be deleted from the Taxi-Cab Priority List and no licence shall be issued to that applicant.

27. Where an applicant is not the holder of a licence as a taxi-cab owner under this Schedule, a licence issued to the applicant from the Priority List shall not be approved for transfer or transferred for a period of at least five consecutive years from the date of issuance of the licence from the Priority List to the applicant. **(89-316)**

28. Where the applicant is the holder of one or more licences as a taxi-cab owner under this Schedule, and one or more additional owner's licences are subsequently issued to the applicant from the Priority List, any previously issued owner's licence including the owner's licence issued from the Priority List shall not be approved for transfer or transferred for a period of at least five consecutive years from the date of issuance of the most recent licence from the Priority List, unless the most recently issued licence from the Priority List is surrendered to the Licence Committee for cancellation. **(89-316)**

PART 7

Passengers

29. No person employing a taxi-cab shall refuse, upon demand, to pay the fare or charge authorized by this Schedule.

PART 8

Soliciting Business

30. No owner or driver of a taxi-cab shall loiter or solicit business in any street, alley or other public place, except when,

- (a) waiting for a person who has engaged him or her; or
- (b) parking in a designated public taxi-cab stand; or
- (c) parking in an signed area where parking is permitted for motor vehicles under City of Hamilton Traffic By-laws.

PART 9

Promotional Schemes

31. No taxi-cab broker, taxi-cab owner or taxi-cab driver shall participate or acquiesce in any promotional scheme whose object or goal is to directly or indirectly subsidize the rates or fares prescribed in this Schedule, without the written consent of the Licence Committee.

PART 10

Taxi-cab Brokers

32.(1) Every taxi-cab broker shall comply with the following regulations:

1. Provide and maintain a business office in the City for the carrying on of his business.
2. Keep and maintain the business office in an orderly, clean and neat condition free at all times from debris and waste of any kind.

3. Keep and maintain the business office free at all times from drivers or other persons not immediately engaged in any business or whose presence may disrupt the orderly carrying on of business.

4. Provide and maintain communication facilities necessary to receive and transmit requests for taxi-cab service in proper working order.

5. Provide and maintain off-street parking for every taxi-cab that is available to respond to calls.

6. Furnish a list in writing to the Licence Administrator,

(i) of taxi-cab owners from whom he or she proposes to accept calls, and

(ii) of any changes on the list within two days of the change.

7. Accept calls for only those owners whose name appears on the list referred to in Regulation 6.

8. Keep and maintain a trip record on FORM 5 hereto annexed as Schedule "E", or a reasonable facsimile thereof, showing the number of the owner's licence which covers the taxi-cab used, the date and time of dispatch, and the point of beginning of each trip, for a period of six months from the date of the first trip of the record.

9. Make the trip record required by regulation 8 available for inspection by the Chief Licence Inspector or a Licence Inspector.

10. Notify the Issuer of Licences in writing at the beginning of each calendar year of the names of persons authorized to sign driver application forms on behalf of the taxi-cab broker.

(2) No taxi-cab broker shall dispatch a call for the conveyance of passengers for hire to a driver of a livery vehicle licensed under Schedule 4a.

(3) Subsection (2) shall not apply where the dispatch is to the holder of a Class B livery vehicle licence for the conveyance of disabled persons.

PART 11

Licence and Filing Fees

33. The amount of fees for matters under this Schedule shall be as follows:

- (a) For initial application for entitlement to entry on the priority list . . \$ 56.00;
- (b) To annual renewal entitlement to entry on the priority list \$ 56.00;
- (c) For the first issuance of a private taxi-cab licence from the
Taxi-cab Priority List \$3,308.00;
- (d) For the yearly renewal of a private taxi-cab licence \$ 193.00;
- (e) For each transfer of a private taxi-cab licence \$ 635.00;
- (f) For the yearly renewal of a public taxi-cab licence \$ 318.00;
- (g) For each transfer of a public taxi-cab licence \$ 635.00;
- (h) For the first issuance of a taxi-cab broker's licence \$ 380.00;
- (i) For the yearly renewal of a taxi-cab broker's licence \$ 254.00;
- (j) For the issuance of a taxi-cab driver's licence \$ 28.00;
- (k) For filing copy of a limited interest agreement in respect of the
first car \$ 56.00;
- (l) For the yearly renewal of the initial limited interest agreement in
respect of the same first car \$ 56.00;
- (m) For filing copy of a limited interest agreement in respect of
any additional car \$ 193.00;
- (n) For the yearly renewal of a limited interest agreement in respect
of any additional car \$ 193.00;
- (o) For filing a copy of a notice or an agreement under section 14(5) \$ 27.00.

(92-007)

PART 12

Rates or Fares To Be Charged

34. A taxi-cab owner or taxi-cab driver shall charge for the conveyance of passengers, not including goods and services tax, either wholly within the City or to any point not more than five kilometres beyond its limit, only the rates or fares as follows:

1. Under agreement with the passenger,

(i) for each hour. \$30.00;

2. For one or more passengers,

(i) for the first 1/10 of a kilometre or part thereof \$ 2.00;

(ii) for each additional 1/10 of a kilometre or part thereof . . . \$ 0.10;

(iii) for waiting after engagement, for each 20 seconds or part thereof after the first 20 seconds \$ 0.10;

(iv) notwithstanding subparagraphs (i), (ii) and (iii), for each engagement, a minimum charge of \$ 2.00;

(v) for loading and unloading groceries, luggage or other goods and chattels, for each 20 seconds or part thereof calculated after the first 20 seconds from the time the meter is turned on,

(a) at the commencement of the loading until completion of the loading \$ 0.10;

(b) at the commencement of the unloading until completion of the unloading \$ 0.10.

35. A meter may be so designed and adjusted that the fare shall be computed for time as well as distance, not including the goods and services tax, at 10 cents for each 20 seconds as above indicated, from the time or place when the passenger entered the taxi-cab, or from the first 20 seconds of waiting for the passenger as above indicated to the time or place at which the passenger discharged the cab, and the time for which the fare is chargeable shall include all unavoidable delays or stops.

35a.(1) The meter in a taxi-cab may be so adjusted, that goods and services tax is added to the total fare chargeable for a trip calculated under this part and mathematically rounded to the nearest tenth of a dollar, but calculation of the fare shall commence with a charge of \$2.15 including the said tax for either the minimum charge as set out in paragraph (iv) of subsection 2 of section 34, or for the first tenth of a kilometre or part thereof, as set out in paragraph (ii) of subsection 2 of section 34, as may be applicable to the trip.

(2) For the purpose of this Schedule, "goods and services tax" shall mean the tax imposed by Goods and Services Tax Legislation on taxi fares at the rate so imposed from time to time.

36. (1) Rates or fares mentioned in Section 34 shall be reduced by 10% for persons issued an Ontario Senior Citizens Privilege Card issued by the Provincial Ministry of Community and Social Services, where all passengers travelling in a taxi-cab are holders of said card.

(2) Every reduction in rates or fares referred to in subsection (1), shall be calculated to the highest full dollar registered on the taxi-meter or the minimum charge referred to in subparagraph (iv) of paragraph 2 of Section 34, whichever is higher.

37. Schedules A (from by-law 89-316), B, C, D and E hereto annexed are included in and form part of this Schedule.



A. SIMPSON
CITY CLERK
J. E. BRY
CITY CLERK

CITY HALL
HAMILTON, ONT
L8N 5Y6
TEL 521-224

THE CORPORATION OF THE CITY OF HAMILTON
OFFICE OF THE CITY CLERK

APPLICATION FOR CAB OWNER LICENCE

(Please Print)

NAME _____
SURNAME _____ CHRISTIAN OR GIVEN NAMES _____

ADDRESS _____

NAME AND ADDRESS OF BROKER YOU WILL BE ASSOCIATED WITH IF GRANTED A
LICENCE _____

HAVE YOU TRANSFERRED A CAB OWNER'S LICENCE TO ANOTHER PERSON DURING THE
PAST TWO YEARS? _____

PLEASE LIST ALL EMPLOYERS WITHIN THE CAB INDUSTRY FOR WHICH YOU HAVE
WORKED SINCE _____, INCLUDING DATES OF EMPLOYMENT.

ARE YOU PRESENTLY EMPLOYED OTHER THAN IN THE TAXI CAB INDUSTRY? _____

NAME OF EMPLOYER _____

IS THE EMPLOYMENT FULL TIME OR PART TIME? _____

DO YOU INTEND TO WORK IN THE TAXI CAB INDUSTRY FULL TIME? _____

I acknowledge that I have read the terms and
conditions as set forth on the reverse side
of this application and agree to accept a
licence subject to these terms and conditions
and I hereby certify the above information to
be true to the best of my knowledge.

A Commissioner For
Taking Oaths, Etc.
SIGNED _____
DATE: _____
DAY MONTH YEAR

2. I understand that the conditions on which you issue such licences are as set out below:

- (a) that the applicant has actually engaged in operating a taxicab full-time in the City as an owner or driver or dispatcher for a period of at least two years immediately prior to the date of consideration of the application by the Licence Committee.
- (b) that the applicant has not granted, assigned, conveyed, transferred or otherwise passed on by sale, lease, gift or otherwise the use or possession of any other licence issued to him under this By-law 79-323, as amended, Schedule 4 for a period of at least two consecutive years immediately prior to the date of consideration of the application by the Licence Committee.
- (c) that where an applicant is not the holder of a licence as a taxicab owner under this By-law 79-323, as amended, Schedule 4, a licence issued to the applicant shall not be approved for transfer or transferred for a period of at least five consecutive years from the date of the licence to the applicant.
- (d) that if the recipient of the licence is presently licensed as a cab owner, he not be permitted for five years to transfer any licence presently held by him until he has surrendered the new licence to the City. (See By-law 79-323, as amended, Section 4(22)).
- (e) that no licensee who is the holder of a licence as a taxicab owner shall enter into any written or oral agreement, directly or indirectly, permitting or acquiescing in the operation of the taxicab for which the licence was issued, by any other person
- (f) that he must provide a suitable vehicle with the necessary equipment for the taxi industry, plus proof of insurance coverage, within thirty days of the date of approval of the application.
- (g) that he file with the Committee a declaration setting out the financial arrangements pertaining to the purchase of the vehicle and equipment.
- (h) the licence shall remain the property of the Corporation of the City of Hamilton and if the recipient fails to abide by any of the aforementioned terms, the licence shall be revoked by the City.

NOTE:

In addition to the foregoing policy all individuals who are presently on the "priority list" (as well as any other individual) may apply for one of these licences but it shall remain the prerogative of the City of Hamilton Licence Committee to accept or not accept any of all of those on the "priority list". It should also be noted that the "priority list" will be used as an important criteria in the selection of the successful applicants.

APPLICATION FORMTAXICAB DRIVER

SURNAME:..... CHRISTIAN NAMES:.....

SOCIAL INSURANCE NUMBER:.....DATE OF BIRTH:.....

PRESENT

MARITAL STATUS:.....NO. OF CHILDREN:..... TELEPHONE No:.....

DRIVERS LICENCE NUMBER:..... CLASS:.....

DRIVERS LICENCE EXPIRY DATE:.....NUMBER OF POINTS LOST:.....

HISTORY OF RESIDENCE:

ADDRESS	TOWN OR CITY	PROVINCE/STATE	COUNTRY	DATE

NAME AND ADDRESS OF OWNER OR BROKER WITH WHOM YOU WILL BE ASSOCIATED:

HAVE YOU EVER BEEN CONVICTED OF A DRIVING OFFENCE: YES:_____ NO:_____

IF YES, EXPLAIN:_____

HAVE YOU EVER BEEN CONVICTED OF A CRIMINAL OFFENCE: YES:_____ NO:_____

IF YES, EXPLAIN:_____

HAVE YOU HAD AN ACCIDENT IN LAST THREE YEARS: YES:_____ NO:_____

IF YES, EXPLAIN:_____

HISTORY OF EMPLOYMENT:

EMPLOYER	ADDRESS	TYPE OF WORK	FROM MONTH-YEAR	TO MONTH-YEAR

****INCORRECT OR OMITTED INFORMATION RENDERS THIS APPLICATION VOID****

I certify the above information to be true to the best of my knowledge

DATE _____ SIGNATURE OF APPLICANT: _____

SIGNATURE OF OWNER: _____ PLATE NO: _____

SIGNATURE OF BROKER: _____

To

By-law No.

FORM 3

E. A. SIMPSON
CITY CLERKK. E. AVERY
DEPUTY CITY CLERKCITY HALL
HAMILTON, ONTARIO
L6N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

TRANSFER OF TAXI CAB PLATES

IN THE MATTER OF THE TRANSFER OF TAXICAB PLATE NUMBER _____ FROM
_____ TO _____

I, _____, THE PRESENT OWNER OF TAXICAB PLATE
NUMBER _____, HEREBY AGREE TO SELL SAID PLATE TO _____

I, _____, THE PURCHASER OF TAXICAB PLATE
NUMBER _____, DO SOLEMNLY SWEAR THAT THE TOTAL CONSIDERATION IS
AS FOLLOWS:

GOODWILL			
CAR			
METER			
RADIO			
ROOF SIGN		MAKE	YEAR
TOTAL			

SWORN BEFORE ME AT THE CITY OF
HAMILTON, REGIONAL-MUNICIPALITY
OF HAMILTON-WENTWORTH

THIS _____ DAY _____ MONTH _____ YEAR

.....
(A COMMISSIONER, ETC.)

The Corporation of the City of Hamilton

BY-LAW NO. 88-136

LIMITED INTEREST AGREEMENT

THIS AGREEMENT made on the _____ day of _____,
19____.

B E T W E E N:

Hereinafter called the "PLATE OWNER"
of the First Part

- and -

Hereinafter called the "PLATE USER"
of the Second Part

1. WHEREAS THE PLATE OWNER holds a taxi-cab licence but has ceased owning a taxi-cab respecting which the licence was issued;
2. AND WHEREAS THE PLATE USER is the owner of a taxi-cab but is not the holder of a licence respecting a taxi-cab;
3. AND WHEREAS THE PLATE OWNER and the PLATE USER intend herein to enter into this Agreement (hereinafter referred to as a "limited interest agreement") wherein a licence is transferred temporarily by the PLATE OWNER to the PLATE USER.
4. NOW THEREFORE THIS AGREEMENT WITNESSETH in consideration of the mutual covenants and an agreement hereinafter contained, the PARTIES hereto mutually covenant and agree as follows:

A. PLATE OWNER'S COVENANTS AND AGREEMENTS:

1. An interest in City of Hamilton taxi-cab licence hereinafter referred to is hereby transferred to the PLATE USER for a period commencing on the _____ day of _____, 19____, and ending on the _____ day of _____, 19____.
2. My full and correct name and business address is _____.
3. The City of Hamilton taxi-cab licence number and year of issue is _____.
4. The date on which the licence, which is the subject of this Agreement was issued _____.

5. Full particulars of all consideration given by me, whether in money or in any other kind, direct or indirect, including fees and/or rental _____

_____.
_____.
6. List of all services, rights or other considerations, given by me to the PLATE USER _____

_____.
_____.
7. Full particulars of my responsibility for the maintenance, repairs, gas and oil for the taxi-cab _____

_____.
_____.
8. Full particulars as to where and how the maintenance, repairs or purchases are to be made and the payments therefor _____

_____.
_____.
9. Where the PLATE USER transfers or purports to transfer the limited interest in this Agreement, this Agreement is hereby terminated on the date of the transfer or purported transfer or on the following date _____
_____.

B. PLATE USER'S COVENANTS AND AGREEMENTS.

1. The interest in the City of Hamilton taxi-cab licence hereinbefore referred to and transferred to me by the PLATE OWNER is hereby accepted by me without reservation for a period commencing on the _____ day of _____, 19____.
2. My full and correct name and business address is _____
_____.
_____.
3. The make, model, serial number, year and full description of all equipment which is used with the taxi-cab and serial number and year of the equipment, are _____

_____.
_____.

4. The motor vehicle permit plate number for the taxi-cab owned by me, issued under THE HIGHWAY TRAFFIC ACT is _____.
5. I am the sole owner in my own right of the taxi-cab respecting which the PLATE OWNER is transferring to me a limited interest in his licence.
6. Full particulars of all consideration given by me, whether in money or in kind, direct or indirect, including fees and/or rental _____.
7. Breakdown of all other amounts given by me to the PLATE OWNER _____.
8. Full particulars of my responsibility for the maintenance, repairs, gas and oil for the taxi-cab _____.
9. Full particulars as to where and how the maintenance, repairs or purchases are to be made and payments therefor _____.
10. I will take out, before using the taxi-cab, insurance in accordance with regulation 3 of section 13 of Schedule 4 of By-law No. 79-323.
11. Upon any transfer or purported transfer, directly or indirectly, the limited interest in this Agreement, this Agreement shall be terminated on the date of the transfer or purported transfer or on the date, if any, fixed by the PLATE OWNER.

C. OTHER TERMS AND CONDITIONS by the Parties hereto set out in SCHEDULE "A" to this AGREEMENT not contrary to By-law No. 79-323.

D. PLATE OWNER'S AND PLATE USER'S JOINT COVENANTS
AND AGREEMENTS:

1. The Agreement herein shall be for a period commencing on the _____ day of _____, 19____ and ending on the _____ day of _____, 19____.
2. This Agreement is made on the following basis -- daily, weekly, monthly, yearly or _____.
3. This Agreement comes into force on the _____ day of _____, 19____.
4. This Agreement shall be deemed to be executed by both Parties hereto and Witnessed on the _____ day of _____, 19____.

IN WITNESS WHEREOF the Parties hereto have affixed their hands and seals

THIS _____ day of _____, 19____.

Witness

PLATE OWNER

Witness

PLATE USER

Note: If insufficient space, please enumerate provision on reverse side of page on which the provision appears and use or add pages and initial and date.

Schedule "E"

To

By-law No.

FORM 5

IT IS MANDATORY TO COMPLETE ALL BUT THE SHADED AREAS

Date		Driver		Cab No.	
IN		OUT			
a.m.		a.m.			
p.m.		p.m.			
Total Miles		Miles		Total	
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p.m.					
Total		Total		Total	
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DRIVER'S SIGNATURE

EQUIPMENT FAULTS : BRAKES ☐ STEERING ☐ LIGHTS ☐ EXHAUST SYSTEM ☐
RADIO ☐ METER ☐
CLEANLINESS AND DAMAGE : INTERIOR ☐ EXTERIOR ☐
CHECK : OIL ☐ TRANSMISSION FLUID ☐

SCHEDULE 4a

LIVERY VEHICLES

1. In this Schedule,

(a) "City" means the City of Hamilton;

(b) "driver's licence" means a licence issued to a livery vehicle driver under this Schedule, and "licensed driver" has a corresponding meaning;

(c) "livery vehicle" means a vehicle for hire for the transportation of passengers, at a flat rate by agreement, that does not contain a taxi-meter;

(d) "livery vehicle driver" means a person who is licensed under this Schedule to drive a livery vehicle;

(e) "livery vehicle owner" means a person who is the owner of a livery vehicle;

(f) "owner" includes the owner of a vehicle or a purchaser of a vehicle, under contract, agreement, understanding or arrangement;

(g) "owner's licence" means a licence taken out by a vehicle owner authorizing the use of the vehicle as a livery vehicle.

PART 1

Administration

2.(1)(a) Every person who is and carries on business as;

(i) a livery vehicle owner, or

(ii) a livery vehicle driver

shall obtain from the City a licence authorizing that person to carry on or engage in the trade, calling or business of conveying passengers for hire in a livery vehicle.

(b) Subsection (1)(a)(ii) shall not apply to a livery vehicle driver who holds a current and valid taxi-cab driver's licence duly issued by the City.

(2) No person required to obtain a licence under Subsection (1) shall carry on or engage in the trade, calling or business of conveying passengers for hire in a livery vehicle without a licence.

- (3) Where a person is required to obtain a licence under Subsection (1),
- (a) a separate licence certificate shall be issued for each licence applied for; and
 - (b) a separate licence certificate shall be issued for each livery vehicle.
- (4) Every licence certificate issued to a livery vehicle owner shall clearly identify,
- (a) the one vehicle in respect of which the licence was issued;
 - (b) the class of livery vehicle licence in respect of which the licence certificate was issued;
 - (c) the term of the licence, including its expiry date.
- (5) Every licence certificate issued to a livery vehicle driver shall clearly identify the term of the licence, including its expiry date.

3.(1) Every vehicle licensed under this section shall be operational and functional within 30 days of the issuance of the licence.

(2) No livery vehicle shall display a roof sign bearing the words "taxi-cab", "taxi", or "cab".

4.(1) Every licence issued to a livery vehicle owner or a livery vehicle driver shall entitle the licensee to carry on only such class of livery vehicle operation as specified on the licence.

(2) No livery vehicle owner or livery vehicle driver shall engage in any class of livery vehicle operation for which a licence has not been granted.

(3) The classes of livery vehicle operations shall be as follows:

- (a) Class A: Transportation by Limousine
- (b) Class B: Transportation of the Disabled at a Subsidized Rate

(4) No livery vehicle owner or livery vehicle driver shall hold more than one class of livery vehicle licence in respect of any livery vehicle.

(5) No livery vehicle licence of any class shall be transferable.

5.(1)(a) A Class A livery vehicle licence shall be issued to an applicant for a livery vehicle owner's licence where,

- (i) the livery vehicle seats not less than 6 and not more than 9 passengers, including the driver; and
- (ii) the livery vehicle has a wheel base of not less than 110 inches;

(b) Every livery vehicle owner and every livery vehicle driver licensed to operate a Class A livery vehicle shall charge a fare of not less than,

(i) \$60.00 for every hour or part thereof; or

(ii) \$110.00 per diem.

(2) A Class B livery vehicle licence shall be issued to an applicant for a livery vehicle owner or a livery vehicle driver licence, where:

(a) the vehicle operation is restricted to the conveyance of passengers, who are physically unable to climb or descend steps used on conventional public transit facilities or walk a distance of 175 metres; and

(b) the passengers pay a fare less than or equal to the cash fare charged for bus service by the Hamilton Street Railway Company, as it may be set from time to time, for travel within the boundaries of the City, or to a point not more than 5 kilometres beyond its limits. **(91-106)**

6.(1) Every applicant for an owner's licence or a renewal thereof and every applicant for a driver's licence or a renewal thereof, except where the applicant is the holder of a current and valid licence issued to a taxi-cab driver under Schedule 4, shall attend at the office of the Issuer of Licences and make and file an application in person and not by an agent or representative. **(89-316)**

(2) Where a livery vehicle is owned by,

(a) a partnership, a partner shall attend for the purpose of subsection (3);

(b) a limited company, the chief operating officer of the company shall attend for the purpose of subsection (3).

(3) Every applicant who is a livery vehicle owner shall fully complete an application on the standard licence application form for the City of Hamilton.

(4) Except where the applicant is the holder of a current licence issued to a taxi-cab driver under Schedule 4, every applicant who is a livery vehicle driver shall fully complete an application in FORM 2 annexed hereto as Schedule "A". **(89-316)**

(5) Every applicant for licence as a livery vehicle driver shall, in addition to other information required under this by-law, with his application and renewal of application, provide for inspection by the Issuer of Licences, a Class "G" licence issued under The Highway Traffic Act.

(6) Every application for renewal of a Class A livery vehicle owner's licence shall be accompanied by a completed trip record, as required under regulation 19 of Section 12, for the current year during which the livery vehicle licence is in full force and effect.

(7) Failure to comply with the requirements of subsection (6) may cause the application for renewal to be denied.

7.(1) Except where the applicant is the holder of a current licence issued to a taxi-cab driver under Schedule 4, every applicant for a driver's licence shall, before a licence is issued, undertake and successfully complete one or more written tests pertaining to his or her knowledge of, (89-316)

(a) the operation of the livery vehicle, and of the City of Hamilton Licensing Code, By-law No. 79-323, as amended, as it relates to taxi-cabs and livery vehicles;

(b) the laws and regulations pertaining to traffic and motor vehicles;

(c) the relationship between taxi-cab drivers and livery vehicle drivers with respect to passengers including duties, behaviours, appearance, decorum;

(d) the use of the equipment part of taxi-cabs including two-way radio, taxi-meter, roof lights;

(e) the use of trip sheets, making damage reports and record keeping; and

(f) the location of streets, public buildings, hospitals, transportation terminals, points of interest and use of street guides.

(2) Notwithstanding any other provision of this Schedule, no licence shall be issued to an applicant unless;

(a) the applicant achieves not less than 70% on each test required to be undertaken; and

(b) the applicant has a photo identification taken by the City.

8.(1) Before a licence is issued, the livery vehicle owner or livery vehicle driver shall, if required by the City, provide a medical certificate in a form supplied by the City signed by a duly qualified medical practitioner in the Province of Ontario, certifying that the owner or driver of the livery vehicle is physically and mentally fit to drive a livery vehicle.

(2) Every livery vehicle owner and every livery vehicle driver shall provide a certificate of the Medical Officer of Health for The Regional Municipality of Hamilton-Wentworth, as to the health of the owner or driver from time to time as the City may require by notice in writing delivered by first class mail to the owner or driver at his business address or place of residence.

9. Every livery vehicle owner and every livery vehicle driver shall be at least eighteen years of age.

10. Every livery vehicle owner and every livery vehicle driver shall notify the Issuer of Licences within 7 days of a change of address and produce his or her licence for the changes of address to be entered.

11. No licensee who is the holder of a licence as a livery vehicle owner shall enter into any written agreement or oral agreement, directly or indirectly, permitting or acquiescing in the operation of the livery vehicle for which the licence was issued, by any other person who is not a licensed livery vehicle driver.

PART 2

Livery Vehicle Owners

12.(1) Every livery vehicle owner shall comply with the following regulations:

1. Before acting as a driver of a livery vehicle owned by him,

(a) comply with all the requirements for the issuance of a livery vehicle driver's licence except payment of a licence fee for a driver's licence; and

(b) obtain the approval of the Licence Committee.

2. Before issuance of an owner's licence provide the City, in writing, with the following information in respect of every vehicle to be used as a livery vehicle,

(a) clear identification of the vehicle, including the make and serial number,

(b) certificate of ownership,

(c) certificate of insurance,

(d) Safety Standard Certificate as issued by the Ministry of Transportation, and

(e) such other particulars as the City may request.

3. For each livery vehicle for which the owner holds a licence, and before use of the livery vehicle,

(a) obtain a policy of insurance in respect of the livery vehicle in an amount not less than \$500,000, exclusive of interest and costs, against loss or damage resulting from bodily injury to or death of one or more persons or from loss or damage to property resulting from any one accident;

(b) provide a special endorsement to the policy of insurance referred to in clause (a), for passenger hazard in an amount not less than \$500,000, exclusive of interest and costs;

(c) cause to be endorsed on the policy of insurance referred to in clause (a), that the City shall be given at least ten days prior notice of any cancellation, expiration or change in the amount of the insurance or in terms of the policy; and

(d) deposit a certified true copy of the policy of insurance and all endorsements with the City.

4. Maintain the policy of insurance, referred to in regulation 3 of this section, in force and effect during the entire period for which the licence is issued and in force and effect.

5. Use or permit to be used a livery vehicle only where prior to its use;

(a) the owner has produced a registration issued under The Highway Traffic Act, in respect of the class of motor vehicle to be used as a livery vehicle;

(b) the City has been informed of any changes in the motor vehicle registration; and

(c) the owner has submitted the motor vehicle to the City for approval and has obtained authorization for the vehicle to be used.

6. Subject to The Highway Traffic Act, not use or permit to be used any livery vehicle that does not have affixed to the vehicle;

(a) a City of Hamilton licence plate having an identity number and clear indication that the livery vehicle is licensed for use in the livery business as a livery vehicle; or

(b) a duplicate licence plate, as may be supplied by the City at the expense of the owner of a livery vehicle where the original licence plate has been lost, defaced or destroyed.

7. Affix to the back of each livery vehicle in a manner and in a position approved by the City any livery vehicle licence plate issued by the City and maintain the licence plate only in the approved position during the period for which the licence is in force and effect.

8. Cause a livery vehicle to be submitted for inspections from time to time by such person and at such times and places as the City may designate.

9. Make such improvements or repairs to the livery vehicle, its equipment or any component thereof as may be required by the City and within such time period specified by the City, to such standards as may be approved by the Licence Committee.

10. Immediately check for mechanical defects in the livery vehicle reported by a driver.

11. Not operate or permit to be operated as a livery vehicle any vehicle not in good mechanical condition.

12. Not operate or permit to be operated as a livery vehicle any vehicle unless a Motor Vehicle Safety Certificate on a form and in a manner approved by the Province of Ontario has been filed with the City in a manner and frequency approved by the Licence Committee.

13. Not employ or permit any person other than a licensed livery vehicle driver or licensed taxi-cab driver employed by the livery vehicle owner to operate his or her livery vehicle.

14. Not use the livery vehicle for the separate carrying of parcels, letters, documents, goods or chattels.

15. Provide to the Licensing Administrator at the time that the licence is issued, a Schedule of Fees to be charged in respect of the use of the vehicle and its driver.

16. Charge fees for the use of the vehicle and its driver in accordance with the Schedule of Fees referred to in regulation 15 above.

17. Ensure that a licensed livery vehicle driver operating the owner's livery vehicle charges fees in accordance with the Schedule of Fees referred to in regulation 15 above.

18. Notify the Licensing Administrator in writing of any proposed change in the Fee Schedule prior to invoking such change.

19. Maintain a trip record on FORM 5 hereto annexed as Schedule "B" or on any reasonable facsimile thereof, which shall be kept in the licensed livery vehicle at all times and prepared immediately upon conclusion of every trip and which shall contain the following information:

(a) the name and address of the person hiring the livery vehicle;

(b) the time of the commencement of the trip and the time of the conclusion of the trip;

(c) the address of the place of origin of the trip and the address of the place of final discharge of the passengers at the conclusion of the trip; and

(d) the fee charged.

20. Ensure that a driver operating the owner's vehicle maintains a trip record as required by regulation 19 above.

21. Keep all trip records referred to in regulation 19 above, for a period of at least twelve months.

22. Permit any person authorized to enforce this by-law to inspect any and all trip records on the premises or to remove any and all trip records from the premises for the purpose of inspection.

(2) Regulations 15 to 22 of Subsection (1) shall not apply to a livery vehicle owner holding a Class B licence in respect of the livery vehicle.

13.(1) Every livery vehicle driver shall comply with the following regulations:

1. Not drive a livery vehicle unless a valid livery vehicle driver's licence has been issued to him or her.

2. Operate a livery vehicle only if the livery vehicle is,

(a) in clean condition as to its interior and exterior;

(b) in good repair as to its interior and exterior;

(c) dry as to its interior;

(d) free from mechanical defects;

(e) in fit condition for the purpose for which the vehicle is used; and

(f) in safe driving condition.

3. Examine the livery vehicle for any defects immediately before the livery vehicle is to be driven.

4. Not drive a livery vehicle unless the livery vehicle plate issued by the City is affixed as required by this Schedule, to the livery vehicle for which it was issued.

5. Carry his or her livery vehicle driver's licence with him or her at all times while operating the livery vehicle.

6. Immediately produce for inspection, the livery vehicle driver's licence and the Province of Ontario driver's licence, upon request to do so by a licence inspector or police officer.

7. Not drive a livery vehicle with luggage or other material piled or placed in a manner that obstructs the view of the livery vehicle driver.

8. Not carry in a livery vehicle used for hire a greater number of occupants or persons than the manufacturer's rated seating capacity for that vehicle, inclusive of driver.

9. Affix and maintain affixed when driving a livery vehicle, a photo identity card in a place in the livery vehicle approved by the Licence Committee in such a manner that the photograph and name are plainly visible and readable by a passenger in the back seat.

10. Not drive a livery vehicle unless the City's current livery vehicle licence number is displayed as required by this Schedule.

11. Not make repairs to the livery vehicle while upon a public street unless the repairs are immediately required to render the livery vehicle operable.

12. While in charge of a livery vehicle,

(a) maintain his person in a neat and clean appearance; and

(b) be civil, well-behaved and polite in manner.

13. Immediately upon termination of any hiring or other engagement of the livery vehicle,

(a) search the livery vehicle for any property lost or left therein; and

(b) deliver any lost or left property over to the owner of same; or

(c) where the owner cannot be found, deliver the lost or left property to the licence authority along with any and all relevant information concerning the property.

14. Not permit, while in charge of a livery vehicle, any person other than the owner or an employee of the owner of the livery vehicle to drive the livery vehicle.

15. Immediately report to the owner of the livery vehicle,

(a) any defect of which the livery vehicle driver is or becomes aware;

(b) any accident in which the livery vehicle driver was involved while operating the livery vehicle;

(c) any enforcement tickets or summons issued to the livery vehicle driver by an enforcement officer for violations occurring while operating the livery vehicle.

(2) In addition to the regulations in Subsection (1), every Class A livery vehicle driver shall comply with the following regulations:

1. Charge fees in accordance with the schedule of Fees provided to the Licence Committee by the owner of the livery vehicle under regulation 15 of Section 12.

2. Maintain a trip record in accordance with regulation 19 of Section 12.

14. No person, including the driver, shall smoke a cigarette, cigar, pipe or any tobacco-using devices without the consent of the occupants of the livery vehicle.

15. No owner, driver or other person shall use or cause to be used or arrange for the use of, directly, indirectly at any time by agreement or understanding or otherwise a livery vehicle in substitution for a taxi-cab.

PART 3

Licence Fees

16. The amount of licence fee for a licence granted under this Schedule shall be as follows:

1. For a livery vehicle owner's licence Class A or B \$193.00;

2. For renewal of a livery vehicle owner's licence, Class A or B \$193.00;

3. For a livery vehicle driver's licence \$ 28.00;

4. For renewal of a livery vehicle driver's licence \$ 28.00.

17. Schedules A and B annexed hereto are included in and form part of this Schedule.

By-law No.
FORM 2
APPLICATION FORM
LIVERY DRIVER

SURNAME:..... CHRISTIAN NAMES:.....
SOCIAL INSURANCE NUMBER:.....DATE OF BIRTH.....
PRESENT
MARITAL STATUS.....NO. OF CHILDREN:..... TELEPHONE No:.....
DRIVERS LICENCE NUMBER..... CLASS:.....
DRIVERS LICENCE EXPIRY DATE:.....NUMBER OF POINTS LOST:.....

HISTORY OF RESIDENCE:

ADDRESS	TOWN OR CITY	PROVINCE/STATE	COUNTRY	DATE

NAME AND ADDRESS OF OWNER OR BROKER WITH WHOM YOU WILL BE ASSOCIATED:

HAVE YOU EVER BEEN CONVICTED OF A DRIVING OFFENCE: YES: _____ NO: _____
IF YES, EXPLAIN: _____

HAVE YOU EVER BEEN CONVICTED OF A CRIMINAL OFFENCE: YES: _____ NO: _____
IF YES, EXPLAIN: _____

HAVE YOU HAD AN ACCIDENT IN LAST THREE YEARS: YES: _____ NO: _____
IF YES, EXPLAIN: _____

HISTORY OF EMPLOYMENT:

EMPLOYER	ADDRESS	TYPE OF WORK	FROM MONTH-YEAR	TO MONTH-YEAR

****INCORRECT OR OMITTED INFORMATION RENDERS THIS APPLICATION VOID****

I certify the above information to be true to the best of my knowledge

DATE _____ SIGNATURE OF APPLICANT: _____

SIGNATURE OF OWNER: _____ PLATE NO: _____

SIGNATURE OF BROKER: _____

Schedule "B"

To
By-law No.
FORM 5

IT IS MANDATORY TO COMPLETE ALL BUT THE SHADED AREAS

Date		Driver		Cab No.	
IN		OUT		TOTAL SALES	
G.M. S.F.		G.M. S.F.		Com. %	
Paid Miles		Units		Goi. Gas	
Oil		Tolls		Oil	
In		Tolls		Misc.	
Out		Tolls		Charges	
Total		Total		Total Exp.	
CASH		CASH		CASH	

No.	From	To	1	2	3	4
1						
2						
3						
4						
5						
6						
7						
8						
9						
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52						
53						
54						
55						
56						
57						
58						
TOTAL						

DRIVER'S SIGNATURE

EQUIPMENT FAULTS : BRAKES ☐ STEERING ☐ LIGHTS ☐ EXHAUST SYSTEM ☐
 RADIO ☐ METER ☐
 CLEANLINESS AND DAMAGE : INTERIOR ☐ EXTERIOR ☐
 CHECK : OIL ☐ TRANSMISSION FLUID ☐

The Corporation of the City of Hamilton

BY-LAW NO. 92- 173

To Authorize:

1992 RECONSTRUCTION PROGRAM

WHEREAS the Ontario Municipal Board by Order dated the 26th day of June, 1992, (File No. E 920487), approved,

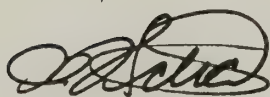
- (a) the 1992 reconstruction of roads, curbs, sidewalks and alleys at various locations at an estimated cost of \$4,428,000, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures to a maximum of \$3,012,000 for a term not to exceed twenty years by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the 1992 Reconstruction Program may now be proceeded with in accordance with the Ontario Municipal Board Order dated the 26th day of June, 1992.

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this 30th day of June , A.D. 1992.



City Clerk



Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 92- 174

To Authorize:

HYDRO HIGH PRESSURE SODIUM STREET LIGHTING CONVERSION PROGRAM

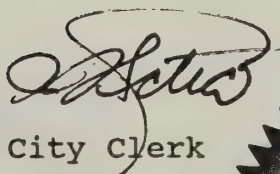
WHEREAS the Ontario Municipal Board by Order dated the 26th day of June, 1992, (File No. E 920430), approved,

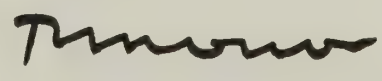
- (a) the Hydro high pressure sodium street lighting conversion program at an estimated cost of \$4,580,000, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures to a maximum of \$3,435,000 for a term not to exceed twenty years by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the High Pressure Sodium Conversion Program may now be proceeded with in accordance with the Ontario Municipal Board Order dated the 26th day of June, 1992.
2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this 30th day of June , A.D. 1992.


City Clerk


Mayor



BY-LAW NO. 92 - 175

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 30TH DAY OF JUNE A.D., 1992.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

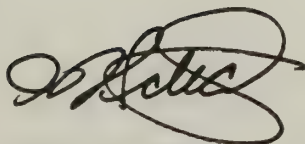
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

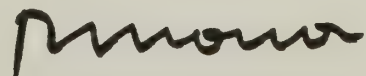
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 30th day of June A.D. 1992



CITY CLERK



MAYOR

BY-LAW NO. 92 - 176

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 9TH DAY OF JULY A.D., 1992.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

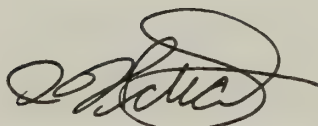
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

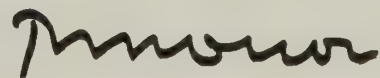
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this Ninth day of July A.D. 1992



CITY CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-177

TO STOP-UP, CLOSE AND SELL THOSE PORTIONS OF
PUBLIC WALKWAY BETWEEN LOTS 150 AND 151
PLAN 62M-89 (NORTH OF LARCH STREET)

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45 to stop-up, close and sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting item 18 of the 1st Report of the Transport and Environment Committee on October 29, 1991 authorized the City to stop-up, close and sell the public walkway, being more particularly described as Parts 1,2,3 and 4 on Plan 62R-8822.

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands.

AND WHEREAS Notice of the City's intention to pass this By-law has been published as required by Section 301 of The Municipal Act for the four consecutive weeks; namely, June 30, July 7, 14 and 21, 1992.

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to, or in support of this By-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The portions of the highway described as,

Part of Parcel Plan -1, Section M-89

Being all of the Public Walkway, Plan M-89, designated as Parts 1,2,3 and 4 on Plan 62R-8822, subject to an easement over Parts 1 and 2 as described in Transfer 20935 L.T.

City of Hamilton
Regional Municipality of Hamilton-Wentworth
being part of the Parcel.

are hereby stopped and closed.

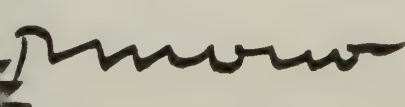
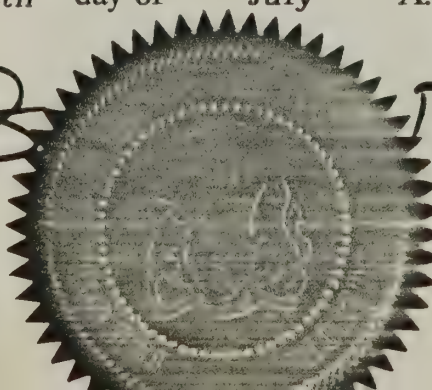
2. That the soil and freehold in the closed portions of the said public walkway described as Parts 1,2,3 and 4, Plan 62R-8822, be sold to: Chris K. Rhora and Gwen A. Rhora, or their successors in title, for the sum of \$1.00 in accordance with the provisions of an Offer to Purchase, dated March 24, 1992.

3. This By-law shall come into force and effect on the date of registration in the Land Registry Office for the Registry Division of Wentworth (No. 62)

PASSED this 28th day of July A.D. 1992.



J. J. Schatz
City Clerk



R. Morrow
Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-178

TO INCORPORATE PARTS 30, 3 AND 6, PLAN 62R-11096 (RESPECTIVELY)
AND PART 13, PLAN 62R-11922 AND PART 15, PLAN 62R-11096
INTO ACADIA DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Acadia Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Acadia Drive.

Firstly

Part of Lots 3,4 and 5, Registered Plan No. 909, designated as Parts 30, 3 and 6, Plan 62R-11096, respectively, and

Secondly

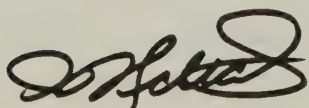
Parts of Lot 9, Concession 8, (in the former geographic Township of Barton), designated as Part 13, Plan 62R-11922, and Part 15, Plan 62R-11096.

All in the City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 28th day of July A.D. 1992.



J. J. Schatz
City Clerk



R. Morrow
Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92- 179

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of an independent concrete sidewalk on the west side of West 33rd Street at the west end of Elmwood Avenue.
2. The supervision of the construction by the Director of Public Works.

WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works herein described at a total estimated cost of \$2,500.00 to be financed from the 1992 Capital Levy;

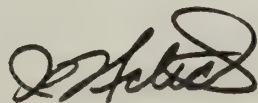
AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 48 of the 7th Report of the Transport & Environment Committee and Item 7 of the 14th Report of the Finance & Administration Committee on June 30, 1992;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described as an independent concrete sidewalk on the west side of West 33rd Street at the west end of Elmwood Avenue may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$2,500.00, which cost shall be financed from the 1992 Capital Levy.
2. The Director of Public Works is hereby authorized to supervise construction of the works.
3. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this 28th day of July, A.D. 1992.



City Clerk



Mayor

(1992) 7 R.T.E.C. 48, June 30
(1992) 14 R.F.A.C. 7, June 30



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-180

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of an independent concrete sidewalk at the east end of South Bend Road East (north side) at the north end of Holt Avenue.
2. The supervision of the construction by the Director of Public Works.

WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works herein described at a total estimated cost of \$2,860.00 to be financed from the 1992 Capital Levy;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 48 of the 7th Report of the Transport & Environment Committee and Item 7 of the 14th Report of the Finance & Administration Committee on June 30, 1992;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described as an independent concrete sidewalk at the east end of South Bend Road East (north side) at the north end of Holt Avenue may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$2,860.00, which cost shall be financed from the 1992 Capital Levy.
2. The Director of Public Works is hereby authorized to supervise construction of the works.
3. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this 28th day of July, A.D. 1992.

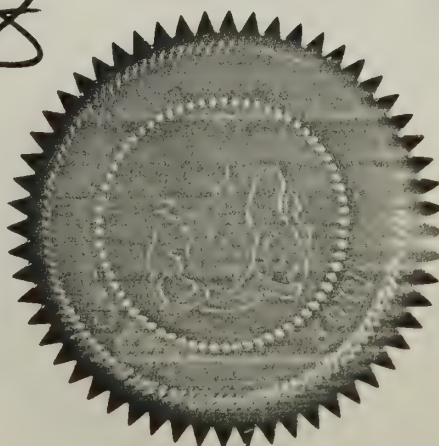


City Clerk



Mayor

(1992) 7 R.T.E.C. 48, June 30
(1992) 14 R.F.A.C. 7, June 30



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 92-181

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of an independent concrete curb on the east side of Upper Kenilworth Avenue between Landron Avenue and Limeridge Road.
2. The supervision of the construction by the Senior Director of Roads.

WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works herein described at a total estimated cost of \$46,100.00 to be financed from the 1992 Capital Levy;

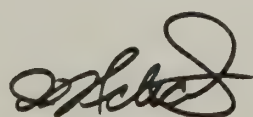
AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 47 of the 7th Report of the Transport & Environment Committee and Item 6 of the 14th Report of the Finance & Administration Committee on June 30, 1992;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described as an independent concrete curb on the east side of Upper Kenilworth Avenue between Landron Avenue and Limeridge Road may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$46,100.00, which cost shall be financed from the 1992 Capital Levy.
2. The Senior Director of Roads is hereby authorized to supervise construction of the works.
3. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this 28th day of July, A.D. 1992.



City Clerk



Mayor

(1992) 7 R.T.E.C. 47, June 30
(1992) 14 R.F.A.C. 6, June 30



92-182

***** PLEASE NOTE *****

Please find enclosed City of Hamilton By-laws 92-177 through 92-199.
Take special note that By-law 92-182 is non-existent and that this by-law number has been omitted.

95-185

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Queensdale	Eastbound and Westbound	East 33rd
Queensdale	Eastbound and Westbound	East 36th
Queensdale	Eastbound and Westbound	East 43rd
Queensdale	Eastbound and Westbound	Nancy
Maple	Eastbound and Westbound	Grosvenor
Fraser	Southbound	Edinburgh
Caswell	Westbound	Amalfi
Beaverton	Westbound	Acadia
Butler	Northbound	Acadia
Cartier	Westbound	Acadia
Philomena	Northbound	Claudette Gate
Spadara	Northbound	Benvenuto
Benvenuto (south leg)	Eastbound	Claudette Gate
Claudette Gate	Westbound	Spadara
Borodino	Eastbound	Essling".

and by deleting therefrom the following items, namely:-

"Broughton	Eastbound	Grayrocks
Grayrocks	Northbound and Southbound	Broughton".

2. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following item, namely:-

"Mountwood	East	Rockwood to 146 feet north	Anytime".
------------	------	----------------------------	-----------

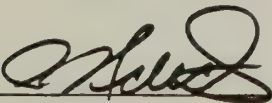
3. **Schedule 31 (School Bus Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Queensdale	South	120 feet	33 feet west of the west curb line of Nancy	7:00 a.m. to 6:00 p.m. Monday to Saturday".
-------------	-------	----------	---	---

4. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Kinrade	East	30 feet	517 feet south of Barton	9:00 a.m. to 5:00 p.m. Monday to Friday".
----------	------	---------	--------------------------	---

PASSED THIS 28th DAY OF July , A.D. 1992


CITY CLERK




MAYOR

BY-LAW NO. 92 - 184

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 25A (Parking Time Limits)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding to **Section 5 (One Hour Limit)** the following items, namely:-

"Bay	Both	Aberdeen to Inglewood".
------	------	-------------------------

2. **Schedule 25 (Parking Time Limits)** is hereby amended by deleting from **Section 5 (One Hour Limit)** the following item, namely:-

"Jackson	North	Spring to 150' west of Wellington".
----------	-------	-------------------------------------

and by adding thereto the following items, namely:-

"Jackson	North	commencing at a point 53 feet east of Spring to a point 65 feet easterly therefrom
----------	-------	--

Ferguson	East	commencing at a point 30 feet south of Hunter to a point 115 feet southerly therefrom
----------	------	---

Ferguson	West	commencing at a point 31 feet south of Hunter to a point 91 feet southerly therefrom".
----------	------	--

3. **Schedule 26 (No Parking Areas)** is hereby amended by adding thereto the following items, namely:-

"Ferguson	West	commencing at a point 207 feet south of Hunter to a point 115 feet southerly therefrom
-----------	------	--

Jackson	North	commencing at a point 118 feet east of Spring to Wellington
---------	-------	---

Rushdale	West	commencing 102 feet south of the south curb line of Ruby to a point 68 feet southerly therefrom
----------	------	---

Rushdale	North	from the west curb line of Rushdale to a point 137 feet westerly therefrom
----------	-------	--

Essling (north leg)	South	from the west curb line of Essling to a point 92 feet westerly therefrom
---------------------	-------	--

Essling	West	from the south curb line of Essling (north leg) to a point 69 feet southerly therefrom
Essling	East	from the north curb line of Essling (south leg) to a point 88 feet northerly therefrom
Fairfield	West	Barton to Britannia".

and by deleting therefrom the following items, namely:-

"Mountwood Jackson	East North	Rockwood to 146 feet northerly Wellington to 150' west".
-----------------------	---------------	--

4. **Schedule 27 (Alternate Side Parking)** is hereby amended by deleting therefrom the following item, namely:-

"Fairfield Avenue Britannia Avenue to Barton Street	West	East".
--	------	--------

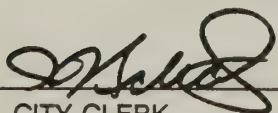
5. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following items, namely:-

"Ferguson Peter	East North	Charlton to Foster commencing at a point 47 feet west of Ray to a point 21 feet westerly therefrom	Anytime
Rosslyn	East	commencing at a point 216 feet north of Cannon to a point 26 feet northerly therefrom	Anytime
Rosslyn	West	commencing at a point 241 feet north of Cannon to a point 26 feet northerly therefrom	Anytime".

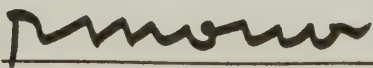
and by deleting therefrom the following item, namely:-

"Elgin	West	commencing at a point 93 feet south of Robert to a point 20 feet southerly therefrom	Anytime
Clinton	North	commencing at a point 310 feet west of Lottridge to a point 23 feet westerly therefrom	Anytime".

PASSED THIS 28th DAY OF July , A.D. 1992


CITY CLERK




MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 92-185

To Amend:

Cemeteries By-law No. 8861

Respecting:

REVISED TARIFF OF CHARGES

WHEREAS By-law No. 8861, passed on the 12th day of January 1960, in accordance with the Cemeteries Act, established a tariff of charges;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 12 of the 9th Report of the Parks and Recreation Committee, at its meeting held on the 12th day of May 1992, directed that By-law No. 8861, as amended, be further amended to provide for an increase in the tariff of charges for 1992.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) By-law No. 8861, as amended by By-laws No. 74-303, 76-187, 76-337, 77-292, 78-276, 79-17, 79-319, 80-229, 81-219, 83-42, 84-323, 84-268, 86-11, 87-22, 88-40, 88-274, 89-363, 90-16 and 90-344, is further amended by deleting Schedule "B-1992" and substituting in lieu thereof Schedule "B-1992(a)", hereto annexed and forming part of this by-law.

(b) In all other respects, By-law No. 8861, as amended, is hereby confirmed unchanged.

2. This by-law becomes effective on the 20th day of April, 1992.

3. The Manager of Cemeteries is hereby authorized and directed to make application to the Minister of Consumer and Commercial Relations, Cemeteries Branch, for approval of this by-law.

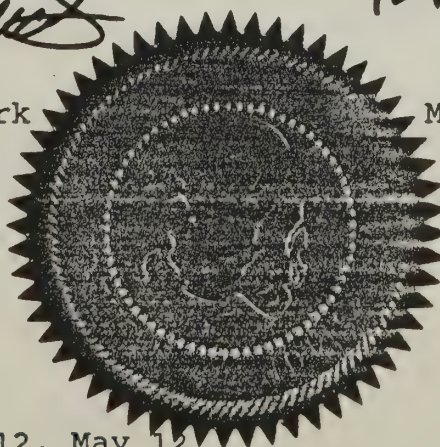
PASSED this 28th day of July, A.D. 1992.



City Clerk



Mayor



SCHEDULE "B-1992(a)"

HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGESApril 20, 1992

(Cemeteries By-law No. 8861)

		Resident and Non-Resident <u>Realty Taxpayers</u>			<u>Non-Residents</u>	
<u>GRAVES AND LOTS</u>		<u>G.S.T.</u>	<u>TOTAL</u>		<u>G.S.T.</u>	<u>TOTAL</u>
Adult Single In A Row Grave.....	417.00	29.19	446.19	515.00	36.05	551.05
(Graves cannot be selected or purchased in advance but are opened in sequence)						
Adult Single Grave.....	697.00	48.79	745.79	862.00	60.34	922.34
(Where grave may be selected and purchased in advance of need)						
Child Single In A Row Grave						
Case up to 60".....	100.00	7.00	107.00	130.00	9.10	139.10
Case 61" to 72".....	148.00	10.36	158.36	193.00	13.51	206.51
Baby Special Grave.....	44.00	3.08	47.08	46.00	3.22	49.22
(Multiple burials - up to one month old)						
1 Garden Grave.....	232.00	16.24	248.24	282.00	19.74	301.74
Columbarium.....	859.00	60.13	919.13			
Veteran's Grave.....	396.00	27.72	423.72			
Two-Grave Lot.....	1,599.00	111.93	1,710.93	1,993.00	139.51	2,132.51
Two-Grave Lot - Eastlawn Section 15, 16	1,305.00	91.35	1,396.35	1,630.00	114.10	1,744.10
(6' burials only)						
Three-Grave Lot - Woodland.....	2,388.00	167.16	2,555.16	2,987.00	209.09	3,196.09
Four-Grave Lot - Woodland Section 21, 25						
- Eastlawn Section 19..	3,130.00	219.10	3,349.10	3,980.00	278.60	4,258.60
Four-Grave Lot - Woodland Section 15..	5,782.00	404.74	6,186.74	7,223.00	505.61	7,728.61
Four-Grave Lot - Trinity.....	2,941.00	205.87	3,146.87	3,733.00	261.31	3,994.31
Mansion of Memories - Mausoleum Crypt..	1,114.00	77.98	1,191.98	1,224.00	85.68	1,309.68

E: 40% of all Grave and Lot Sales goes into Perpetual Care

		Resident and Non-Resident Realty Taxpayers		Non-Residents	
<u>OPENING AND CLOSING</u>		<u>G.S.T.</u>	<u>TOTAL</u>	<u>G.S.T.</u>	<u>TOTAL</u>
6 ft. Adult.....	423.00	29.61	452.61	490.00	524.30
8 ft. Adult.....	570.00	39.90	609.90	634.00	678.38
6 ft. Child - case up to 42".....	256.00	17.92	273.92	376.00	402.32
- case 43" - 60".....	291.00	20.37	311.37	412.00	440.84
- case 61" - 72".....	322.00	22.54	344.54	465.00	497.55
8 ft. Child - case up to 60".....	322.00	22.54	344.54	465.00	497.55
- case 61" - 72".....	358.00	25.06	383.06	515.00	551.05
Baby Special - Multiple burials - Up to one month old..	57.00	3.99	60.99	86.00	92.02
Cremation.....	137.00	9.59	146.59	196.00	209.72
Columbarium.....	90.00	6.30	96.30		
Mansion of Memories - Stoney Creek- New Crypts only....	349.00	24.43	373.43	409.00	437.63
<u>LOWERING</u> (Opening Charges not included)					
<u>Adult</u>					
From 6 ft. to 8 ft. - Shell.....	282.00	19.74	301.74	428.00	457.96
From 6 ft. to 8 ft. - Steel Vault...	551.00	38.57	589.57	824.00	881.68
From 6 ft. to 8 ft. - Concrete Vault	657.00	45.99	702.99	988.00	1,057.16
<u>Child</u>					
From 6 ft. to 8 ft. - 5 to 10 years.	196.00	13.72	209.72	291.00	311.37
From 6 ft. to 8 ft. - under 5 years.	94.00	6.58	100.58	138.00	147.60
<u>REMOVALS</u>					
Adult - Shell.....	1,488.00	104.16	1,592.16	2,290.00	2,450.30
- Concrete Vault or Crypt.....	1,214.00	84.98	1,298.98	1,817.00	1,944.19
Child - Shell	353.00	24.71	377.71	550.00	588.50
- Concrete Vault or Crypt.....	378.00	26.46	404.46	560.00	599.20
Cremation.....	137.00	9.59	146.59	196.00	209.72
<u>ADDITIONAL SERVICES</u>				<u>G.S.T.</u>	<u>TOTAL</u>
<u>CRYPTS</u>					
Child.....				272.00	291.04
Youth.....				285.00	304.95
Standard.....				297.00	317.79
Intermediate.....				305.00	326.35
Oversize.....				324.00	346.68
<u>PLANTING</u>					
Preparing ground and planting flowers -per grave.....				40.00	42.80
Preparing ground and planting one shrub.....				51.00	54.57
(Flowers and shrubs are to be provided by the family at their expense)					
<u>MISC.</u>					
Tent in cemetery.....				126.00	134.82
Rental of tent outside cemetery.....				172.00	184.04
Rental of dressing to use outside cemetery.....				137.00	146.59
Rental of lowering device outside cemetery.....				137.00	146.59
Transfer Fee \$2.00 + Research \$44.00.....				26.00	27.82
Inscription Fee on Columbarium Niche.....				240.00	256.80

The Corporation of the City of Hamilton

BY-LAW NO. 92-186

To Adopt:

Official Plan Amendment No. 99

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 45 RIFLE RANGE ROAD
WITHIN THE AINSLIE WOOD NEIGHBOURHOOD

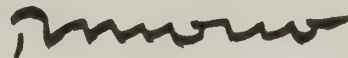
The Council of The Corporation of the City of Hamilton
enacts as follows:

1. Amendment No. 99 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this 28th day of July A.D. 1992.



City Clerk



Mayor



Amendment No. 99

to the

City of Hamilton Official Plan

The following text, together with Schedules "A" and "B", attached hereto, constitutes Official Plan Amendment No. 99.

Purpose:

The purpose of this Amendment is to redesignate the subject lands from "Industrial" to "Residential" and "Major Institutional" on Schedule "A" - Land Use Concept of the Official Plan and to remove the subject lands from "Special Policy Area 11" on Schedule "B" - Special Policy Areas to permit residential development and the construction of a new secondary school.

Location:

The lands affected by this Amendment are known municipally as 45 Rifle Range Road, located within the Ainslie Wood Neighbourhood.

Basis:

The basis for redesignating the subject lands from "Industrial" to "Residential" and "Major Institutional" and removing the subject lands from Special Policy Area 11 is as follows:

- 1) Residential uses are compatible with the established residential development in the neighbourhood;
- 2) The redesignation represents a logical extension of the established residential neighbourhood to the south;
- 3) It provides for the redevelopment and intensification of a former industrial site;
- 4) It is consistent with the policies of the Land Use Planning for Housing Provincial Policy Statement;
- 5) The redesignation will result in the elimination of existing or potential conflicts between industrial and residential uses;

- 6) The subject lands have good access to the major arterial roadway system via Rifle Range Road and Whitney Road; and,
- 7) The need for a new Separate Board secondary school in the west end of the City of Hamilton will be satisfied.

Actual Changes:

- 1) Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating the subject lands from:
 - "Industrial" to "Residential"; and,
 - "Industrial" to "Major Institutional".as shown on the attached Schedule "A" of this Amendment.
- 2) Schedule "B" - Special Policy Areas of the Official Plan be revised by removing the subject lands from "Special Policy Area 11", as shown on the attached Schedule "B" of this Amendment.

Implementation:

A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 92- 186 , passed on the 28th day of July , 1992.

**The Corporation of the
City of Hamilton**



City Clerk



Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 92- 187

To Amend:

Zoning By-law No. 6593

As Amended by Zoning By-laws No. 87-118 and 90-071

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 1489 to 1495 UPPER GAGE AVENUE

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 87-118 on the 28th day of April 1987 to change the zoning, impose a holding provision and establish a special requirement under Section 19B of Zoning By-law No. 6593, for the "DE-3" District, in respect of the lands located at Municipal Nos. 1489 to 1495 Upper Gage Avenue, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, R.S.O. 1990, Chapter P.13;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-071 on the 13th day of March 1990 to remove the holding provision for the "DE-3" District, in respect of the lands located at Municipal Nos. 1489 to 1495 Upper Gage Avenue, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, R.S.O. 1990, Chapter P.13;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 22 of the 11th Report of the Planning and Development Committee at its meeting held on the 30th day of June 1992, recommended that Zoning By-law No. 6593, as amended by By-laws No. 87-118 and 90-071 be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "DE-3" (Multiple Dwellings) District provisions, as contained in Section 10C of Zoning By-law No. 6593, as amended by By-laws Nos. 87-118 and 90-071, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further amended to the extent only of the special requirements that,

- (a) notwithstanding Section 2.(2)A.(viii) and Section 10C(1)(vi) of By-law No. 6593, a senior citizens multiple dwelling with not more than 72 housekeeping dwelling units shall be permitted;
- (b) notwithstanding Section 10C(1) of By-law No. 6593,
 - (i) a central kitchen, a common dining room and lounge area shall be permitted only in conjunction with a senior citizens multiple dwelling; and
 - (ii) an indoor amenity area of not less than 140 m² shall be provided and maintained;
- (c) notwithstanding TABLE 1 of Section 18A. of By-law No. 6593, not less than 40 parking spaces shall be provided and maintained for a senior citizens multiple dwelling containing not more than 72 housekeeping dwelling units; and
- (d) for the purposes of this by-law, a senior citizens multiple dwelling means a multiple dwelling within which all residents are at least 60 years of age or older.

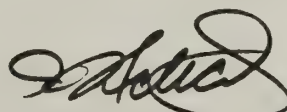
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-3" District provisions, subject to the special requirements referred to in section 1.

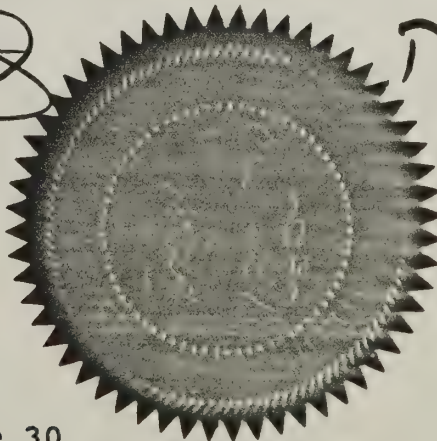
3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1009b.

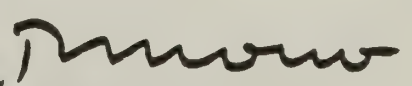
4. Sheet No. E-49D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1009b.

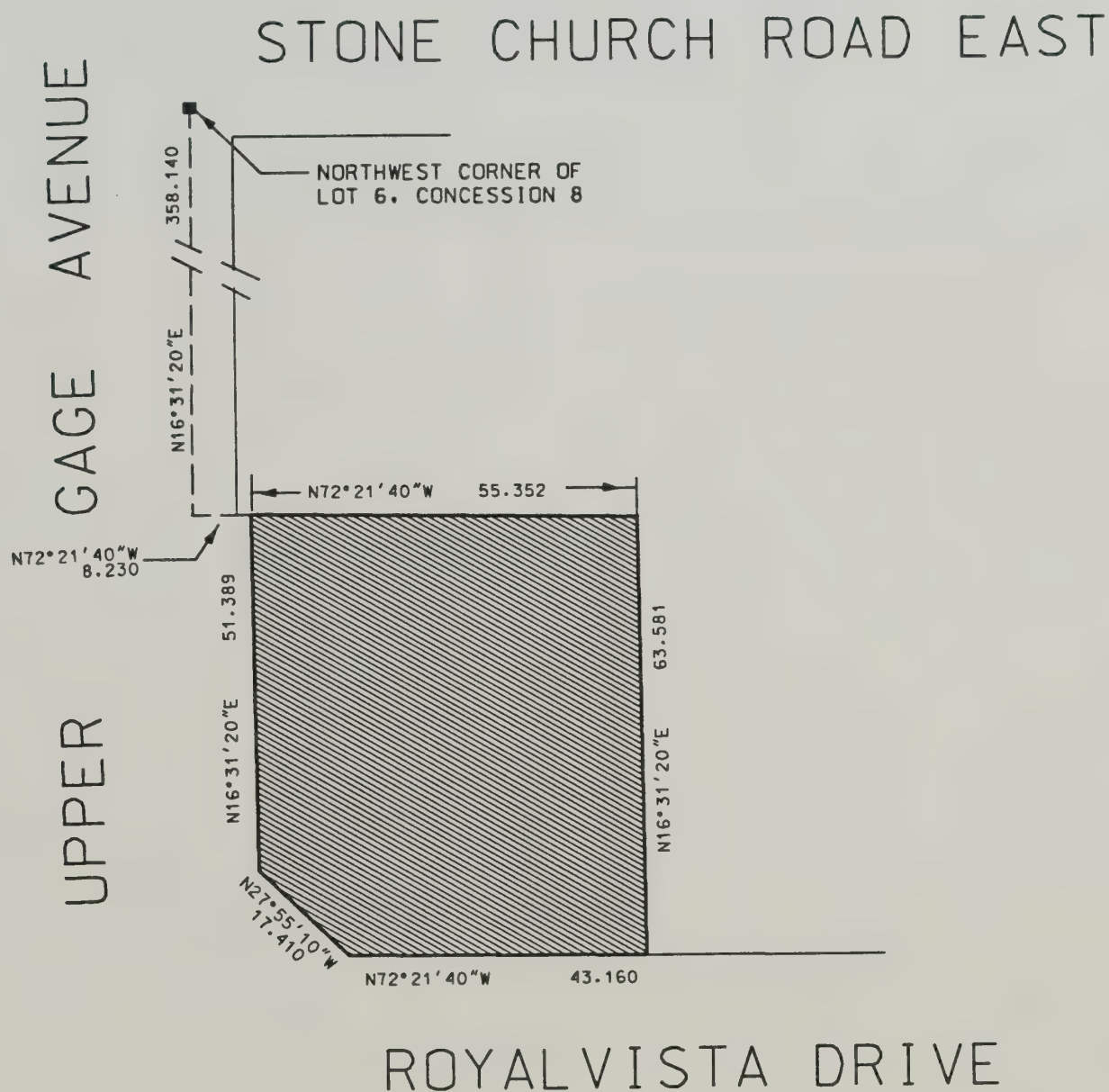
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 28th day of July A.D. 1992.


City Clerk




Mayor



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-187.
Passed the 28th day of July, 1992.


Clerk


Mayor

City of Hamilton Schedule A

Map Forming Part of
By-Law No. 92-187--
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 92-187

North 	Scale NOT TO SCALE	Reference File No. ZA 92-15
	Date JUNE, 1992	Drawn By T.A

The Corporation of the City of Hamilton

BY-LAW NO. 92- 188

To Amend:

Zoning By-law No. 6593

Respecting:

THE REGULATION OF SATELLITE DISHES

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 19 of the 11th Report of the Planning and Development Committee at its meeting held on the 30th day of June 1992, recommended that By-law No. 6593 be amended to provide for the regulation of satellite dishes;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 2.(2)H of By-law No. 6593 is amended by adding the following definition thereto:

(vica) "Satellite dish" shall mean a concave directional antennae having a diameter of one metre or more which is used or intended to be used to send or receive signals to or from satellites.

2. Section 18 of the said by-law is amended by adding the following subsection thereto:

SPECIAL REQUIREMENTS FOR SATELLITE DISHES

(13) Notwithstanding any other provision of this By-law the following provisions shall apply to every satellite dish:

(i) Except as provided in paragraph (ii), only one satellite dish shall be permitted on every lot in a residential district, and shall comply with the following:

(a) located only in a rear yard;

(b) set back a distance of not less than the diameter of the dish from every side and rear lot line;

(c) a height of not more than 4.5 m including the support structure;

- (ii) Satellite dishes shall be permitted and only be located on the roof of a multiple dwelling or the roof of the principal building in a non-Residential District, and Section 2.(2)J.(ix) shall not apply to every such satellite dish.

3. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

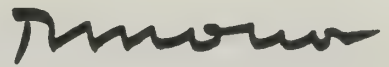
4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 28th day of July

A.D. 1992.



City Clerk



Mayor



(1992) 11 R.P.D.C. 19, June 30
CI-89-A

The Corporation of the City of Hamilton

BY-LAW NO. 92- 189

To Amend:

Zoning By-law No. 6593
and To Repeal Zoning By-law No. 85-231

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS. 547 AND 549 WILSON STREET
AND NOS. 79 AND 81 SANFORD AVENUE NORTH**

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 85-231 on the 29th day of October 1985 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "D" District, in respect of the land located at Municipal Nos. 549 Wilson Street and 79 and 81 Sanford Avenue North, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, R.S.O. 1990, Chapter P.13;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 23 of the 11th Report of the Planning and Development Committee at its meeting held on the 30th day of June 1992, recommended that Zoning By-law No. 6593 be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law, and to repeal By-law No. 85-231;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 85-231, applicable to a portion of the subject lands (Block 2), is hereby repealed.

2. The "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 1 and 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding Section 10.(1) of By-law No. 6593, the following uses shall be permitted:

(i) INDUSTRIAL USE:

1. A bakery on Block 2;

(ii) COMMERCIAL USE:

1. One business identification sign that is a window sign or a wall sign that complies with the following requirements:

A. The total aggregate area of the sign shall not exceed 2.5 m²;

B. The sign shall not be illuminated except by non-flashing indirect lighting;

(iii) ACCESSORY USES:

1. A restaurant on Block 2 having a seating capacity of not more than 12 persons;

2. Parking area on Block 1;

- (b) notwithstanding Section 10.(3)(i) of By-law No. 6593, a front yard of a depth of not less than 3.0 m shall be provided and maintained for the building located on Block 2;
- (c) notwithstanding Section 10.(3)(ii) of By-law No. 6593, a southerly side yard of a width of not less than 0.10 m and a northerly side yard of a width of not less than 1.80 m shall be provided and maintained for the building located on Block 2;
- (d) a landscaped area in the form of four triangles not less than 7.0 m² each shall be provided and maintained along the westerly lot line of Block 1 adjacent to the four parking spaces;
- (e) a chain link fence not less than 1.80 m in height shall be provided and maintained along the rear 8.5 m of the northerly lot line of No. 81 Sanford Avenue North (Block 2), and along the rear 7.9 m of the easterly lot line of Block 1;
- (f) a closed board fence not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the westerly and northerly lot lines of Block 1;
- (g) pedestrian access to or egress from the rear addition to the bakery/restaurant use located on Block 2 shall be prohibited;
- (h) outside storage of any kind shall be prohibited on Blocks 1 and 2;
- (i) except for only a rear one storey addition, the exterior of the building known as No. 81 Sanford Avenue North shall not be altered;
- (j) notwithstanding Section 18A.(9) of By-law No. 6593, part of the 3 required parking spaces and manoeuvring spaces shall be permitted off the lot on which the principal use, building or structure is located.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1276.

5. Sheet No. E-22 of the District Maps is amended by marking the lands referred to in section 2 of this by-law, S-1276.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

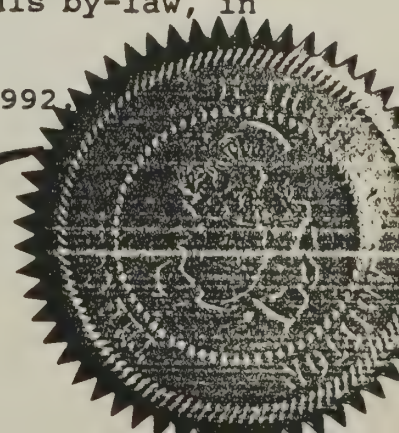
PASSED this 28th day of July A.D. 1992.



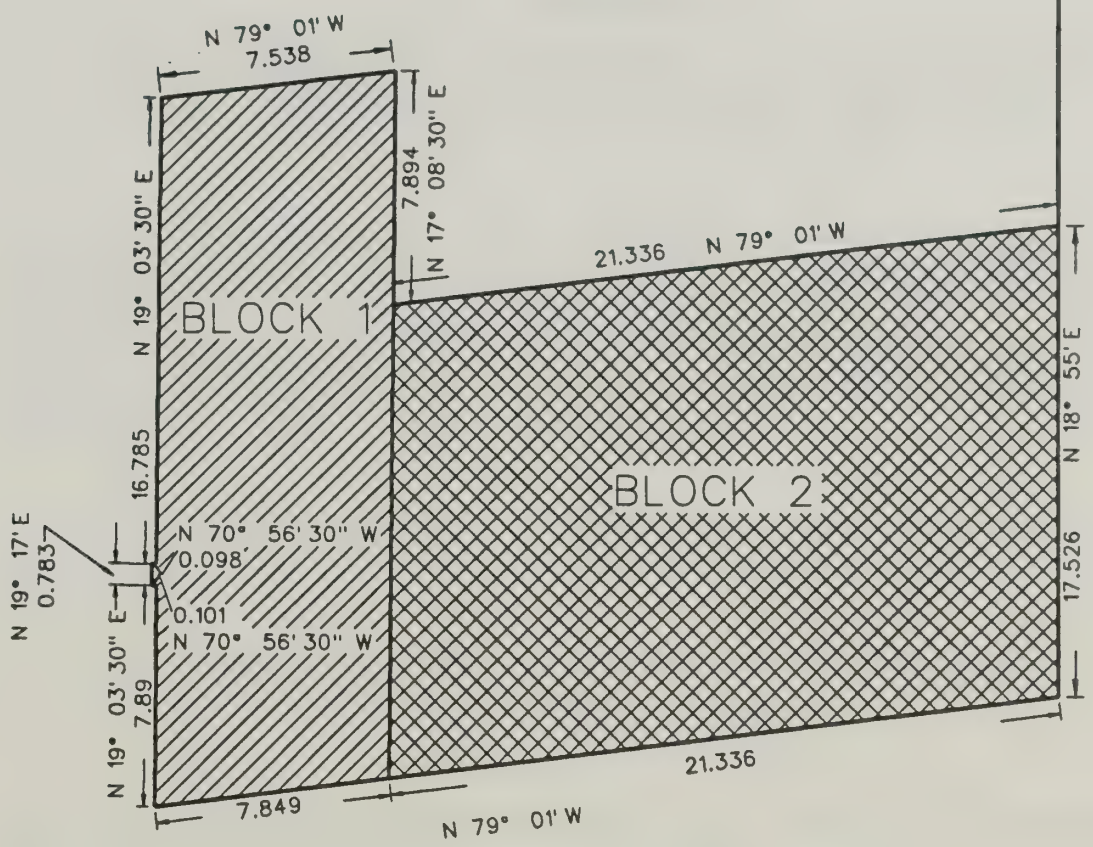
City Clerk



Mayor



SANFORD AVENUE NORTH



WILSON STREET

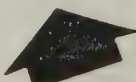
NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-189
Passed the 28th day of July, 1992.


Clerk


Mayor

City of Hamilton
Schedule A
Map Forming Part of
By-Law No. 92- 189
to Amend By-Law No. 6593
Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend		
	BLOCK 1 Modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District regulations.	
	BLOCK 2 Further modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District regulations.	
North 	Scale NOT TO SCALE	Reference File No. ZA 91-82
	Date JULY, 1992	Drawn By L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 92-190

To Establish:

Site Plan Control

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 547 AND 549 WILSON STREET
AND NOS. 79 AND 81 SANFORD AVENUE NORTH

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P.13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

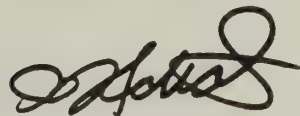
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

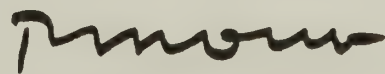
140. Lands located at Municipal Nos. 547 and 549 Wilson Street and Nos. 79 and 81 Sanford Avenue North, shown on Appendix 140 hereto annexed and forming part of this by-law.

2. Appendix 140 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this 28th day of July A.D. 1992.



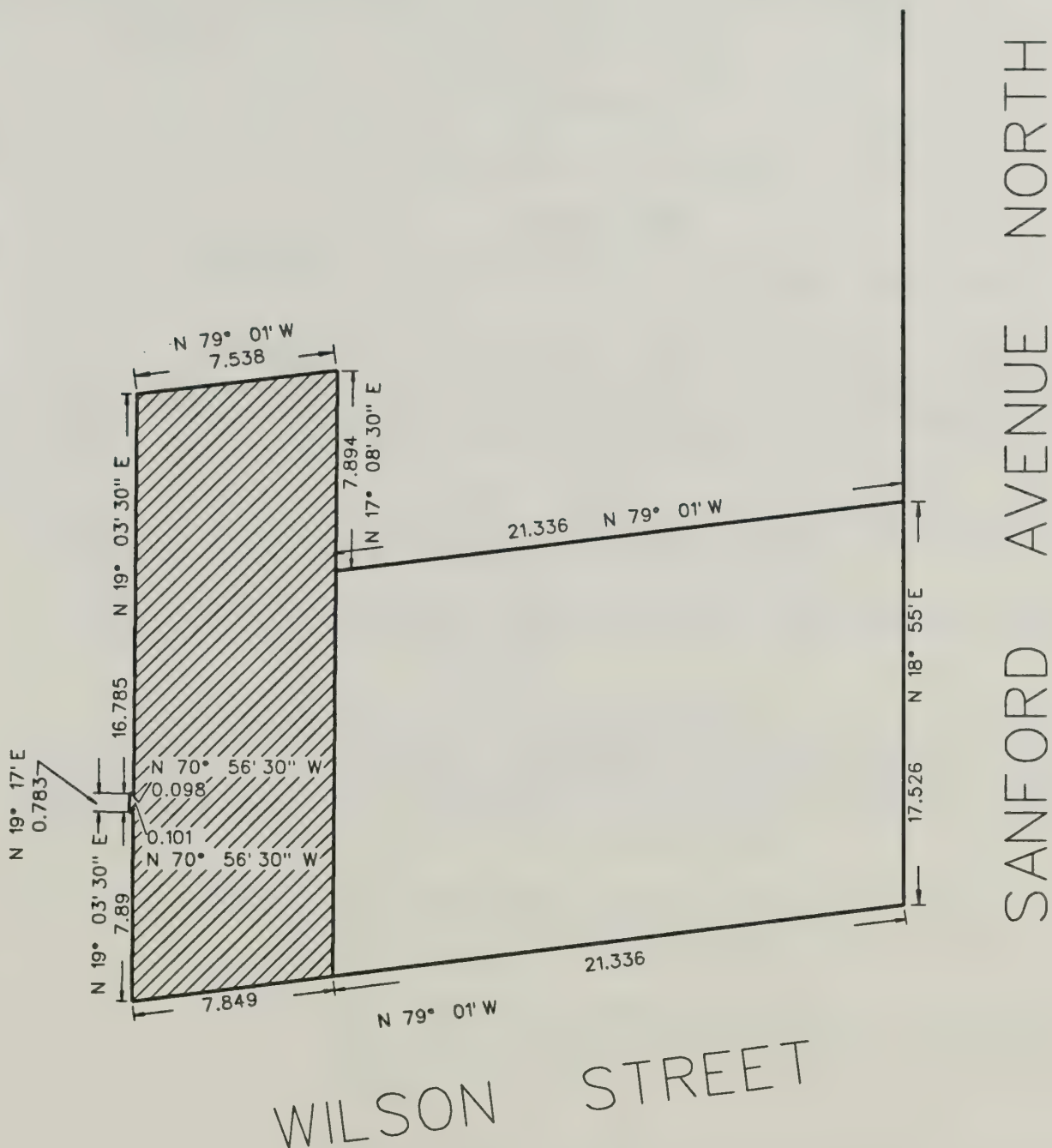
City Clerk



Mayor

(1992) 11 R.P.D.C. 23(b), June 30
Domenico DeRosa, Owner
ZA-91-82





NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-~~190~~-
Passed the 28th day of July, 1992.


Clerk


Mayor

City of Hamilton
Appendix 140
To By-Law No. 79-275
as Amended by
By-Law No. 87-223

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands designed under this By-Law
as an area of Site Plan Control
pursuant to section 40 of the
Planning Act

North



Scale
NOT TO SCALE

Date
JULY, 1992

Reference File No.
ZA 91-82

Drawn By
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 92-191

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 257 MOHAWK ROAD WEST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 9.(1) of By-law No. 6593, a lodge (masonic temple) shall be permitted only within the existing building;
- (b) notwithstanding Section 18A.(1) of By-law No. 6593, not less than forty-one (41) parking spaces shall be provided and maintained on the subject lands;
- (c) notwithstanding Section 18A.(26) of By-law No. 6593, the access/egress driveway along the westerly property line shall be located not less than 1.5 m from the common boundary with the residential district.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.

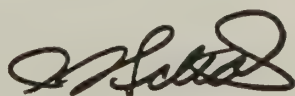
3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1275.

4. Sheet No. W-9 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1275.

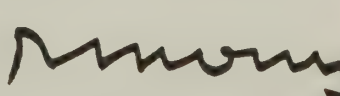
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 28th day of July

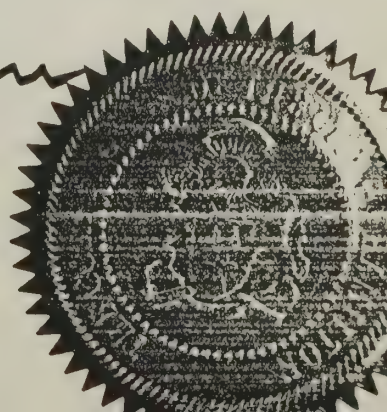
A.D. 1992.

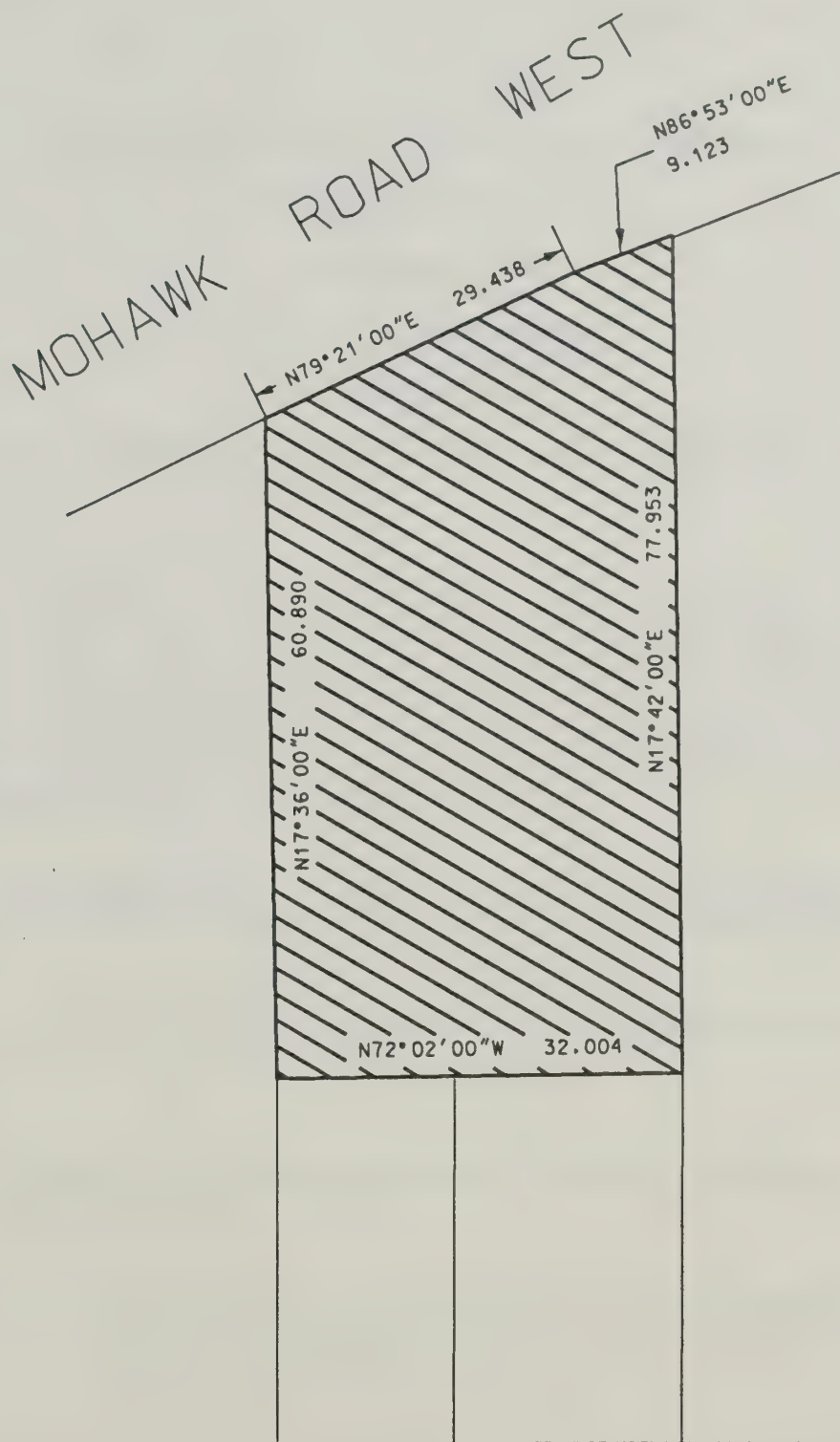


City Clerk



Mayor

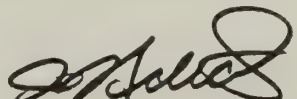




MARLOWE DRIVE

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-191
 Passed the 28th day of July, 1992.

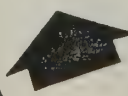

 Clerk


 Mayor

City of Hamilton
Schedule A
 Map Forming Part of
 By-Law No. 92-191
 to Amend By-Law No. 6593
 Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend
 Change in zoning from:

 Lands to be regulated by
 By-Law No. 92-191.....

North 	Scale NOT TO SCALE Date JULY, 1992	Reference File No. ZA92-13 Drawn By T.A.
--	---	---

The Corporation of the City of Hamilton

BY-LAW NO. 92-192

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 257 MOHAWK ROAD WEST

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P.13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

139. Land located at Municipal No. 257 Mohawk Road West, shown on Appendix 139 hereto annexed and forming part of this by-law.

2. Appendix 139 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this 28th day of July A.D. 1992.



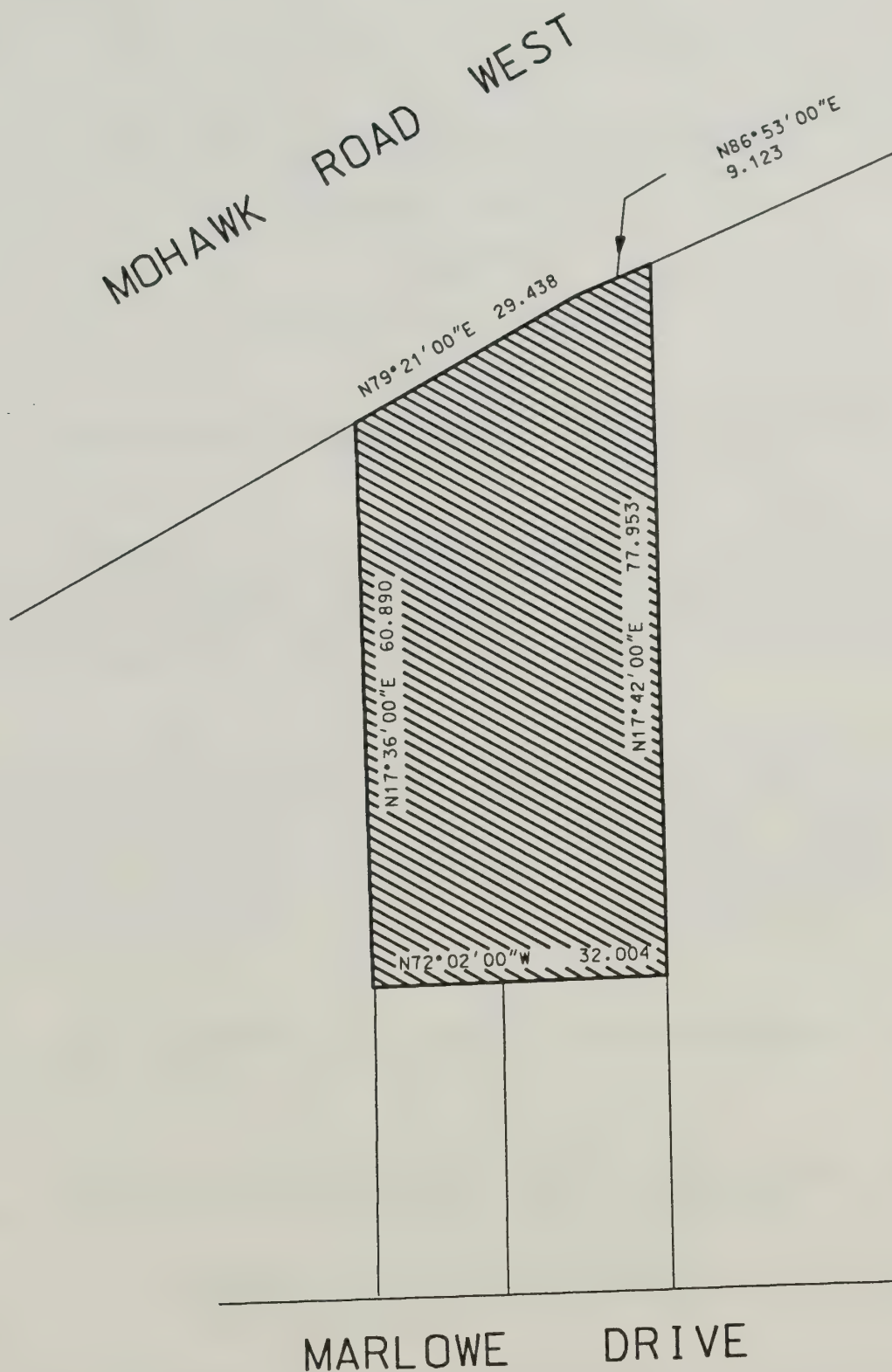
City Clerk



Mayor

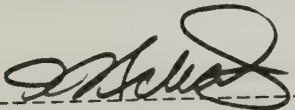
(1992) 11 R.P.D.C. 21(B), June 30
Hillcrest Masonic Temple Corporation
(Kenneth Schweitzer, President), Owner
ZA-92-13

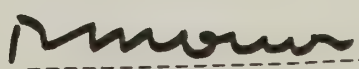




NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-192
Passed the 28th day of July, 1992.


Clerk


Mayor

City of Hamilton
APPENDIX 139
To By-Law No. 79-275
As Amended By
By-Law No. 87-223

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands designated under this By-Law
as an area of Site Plan Control
pursuant to Section 40 of the
Planning Act.

 North	Scale NOT TO SCALE	Reference File No. ZA92-13
	Date JULY, 1992	Drawn By T.A.

The Corporation of the City of Hamilton

BY-LAW NO. 92- 193

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 45 RIFLE RANGE ROAD

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 99, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. W-46 and W-47 of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "M-14" (Prestige Industrial) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 9.(2) of By-law No. 6593, no building shall exceed two storeys, and no structure shall exceed 14.5 m in height;
- (b) notwithstanding Section 9.(3) of By-law No. 6593, the following yards shall be provided and maintained:
 - 1. a front yard of a depth of not less than 9.0 m on Whitney Avenue;
 - 2. side yards of a width of not less than 9.0 m except that the northerly side yard shall have:
 - 2.1 a width of not less than 111.40 m for the two storey principal building; and
 - 2.2 a width of not less than 20.0 m for any portable classroom buildings.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1228.

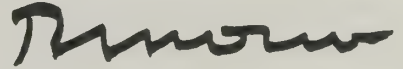
5. Sheets No. W-46 and W-47 of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1228.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 28th day of July A.D. 1992.



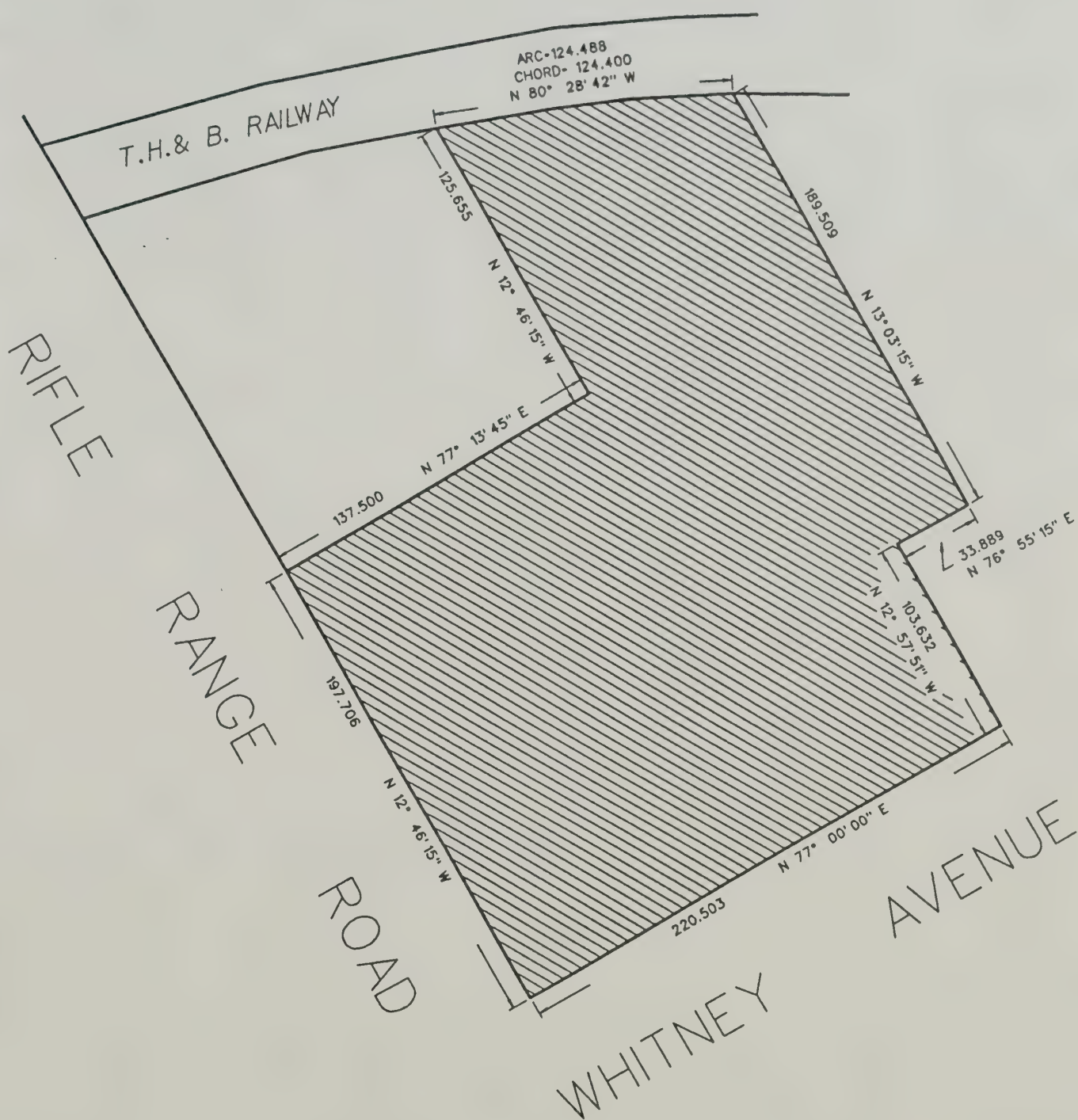
City Clerk



Mayor

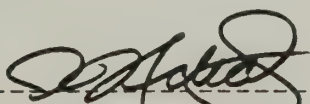


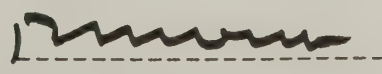
(1992) 13 R.P.D.C. , July 28
Patran Holdings Limited, Owner
Amended ZA-90-40



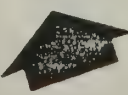
NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-193
Passed the 28th day of July, 1992.


Clerk


Mayor

City of Hamilton
Schedule A
Map Forming Part of
By-Law No. 92-193
to Amend By-Law No. 6593
Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend		
Change in zoning from:		
	"M-14" (Prestige Industrial) District, modified to "C" (Urban Protected Residential, etc.) District, modified.	
North 	Scale NOT TO SCALE	Reference File No. ZA 90-40
	Date JULY, 1992	Drawn By L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 92-194

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 45 RIFLE RANGE ROAD

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 99, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-46 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "M-14" (Prestige Industrial) District to "RT-20" (Townhouse - Maisonette) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 10E(7)(a)(i) of Zoning By-law No. 6593 a maximum of 95 townhouse dwelling units shall be permitted.

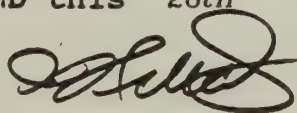
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-20" District provisions, subject to the special requirement referred to in section 2.

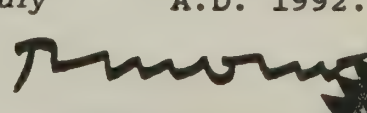
4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1277.

5. Sheet No. W-46 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1277.

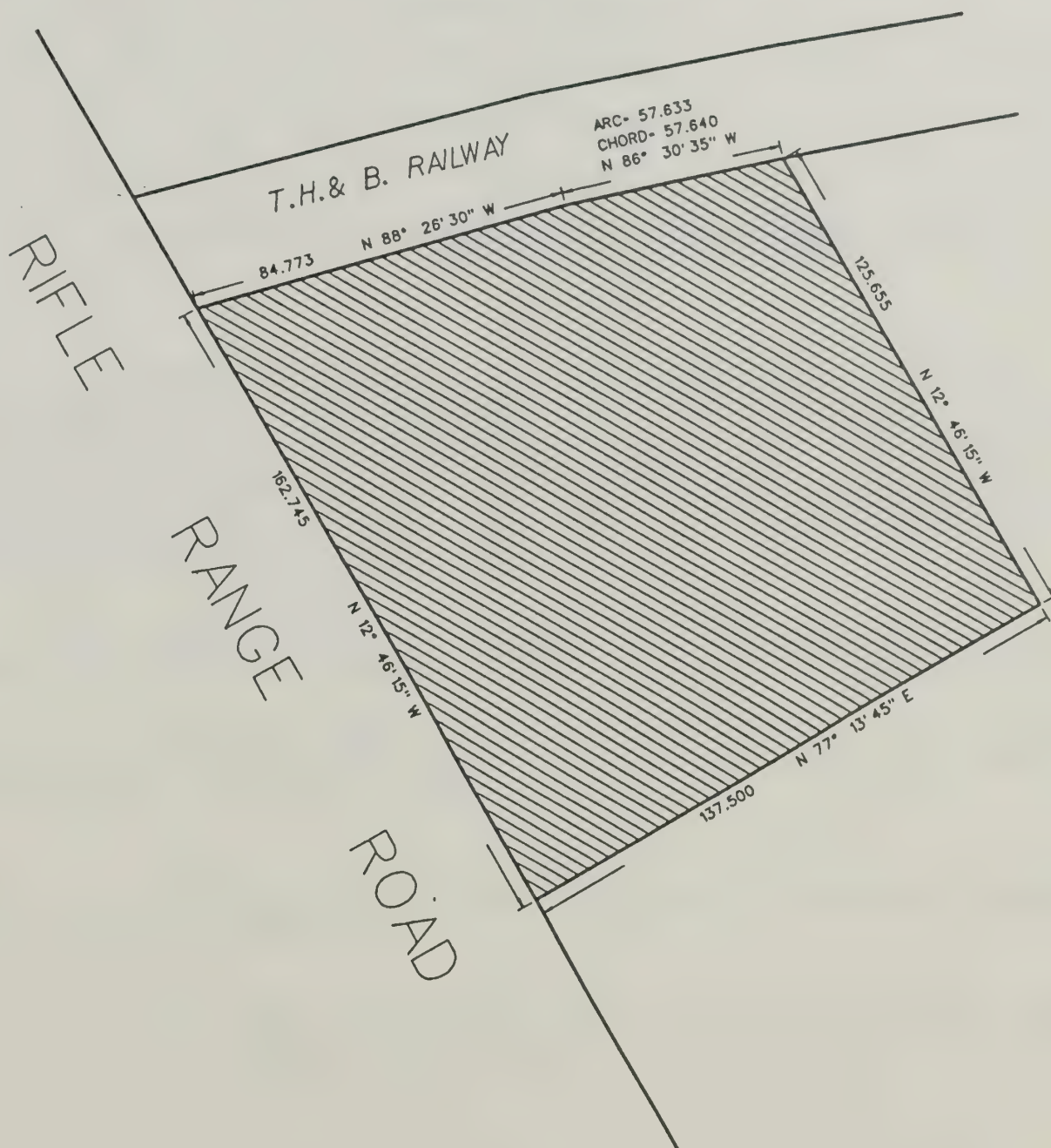
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 28th day of July A.D. 1992.


City Clerk

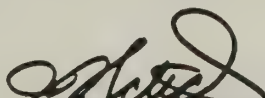

Mayor





NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-194
 Passed the 28th day of July, 1992.


 Clerk

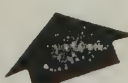

 Mayor

City of Hamilton
Schedule A
 Map Forming Part of
 By-Law No. 92-194
 to Amend By-Law No. 6593
 Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend

Change in zoning from:

 "M-14" (Prestige Industrial) District, modified to
 "RT-20" (Townhouse-Maisonette) District, modified.

North 	Scale NOT TO SCALE	Reference File No. ZA 90-40
	Date JULY, 1992	Drawn By L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 92- 195

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 45 RIFLE RANGE ROAD

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P.13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

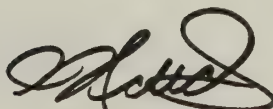
1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

141. Land located at Municipal No. 45 Rifle Range Road, shown on Appendix 141 hereto annexed and forming part of this by-law.

2. Appendix 141 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this 28th day of July

A.D. 1992.



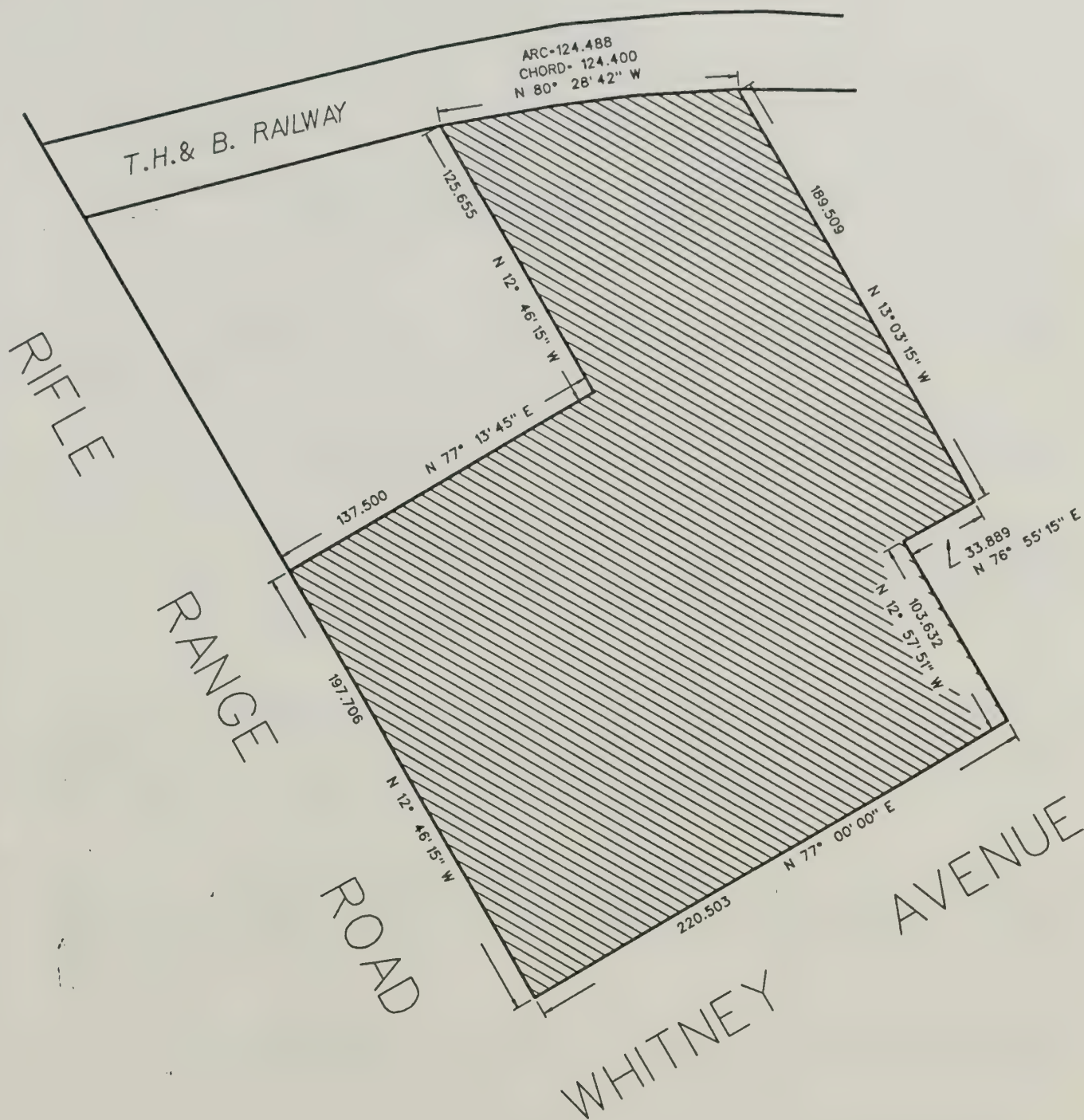
City Clerk



Mayor

(1992) 13 R.P.D.C. 11, July 28
Patran Holdings Limited, Owner
Amended ZA-90-40





NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 92-____
Passed the ____ day of _____, 1992.


Clerk


Mayor

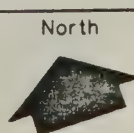
City of Hamilton
APPENDIX 141
To By-Law No. 79-275
as Amended by
By-Law No. 87-223

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands Designated Under this By-Law
as an area of Site Plan Control pursuant
to Section 40 of the Planning Act.



Scale
NOT TO SCALE

Date
JULY, 1992

Reference File No.
ZA 90-40

Drawn By
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 92-196

To Amend:

By-law No. 92-094

Respecting:

THE CHIEF BUILDING OFFICIAL AND INSPECTORS APPOINTED UNDER
THE BUILDING CODE ACT, R.S.O. 1990,
STATUTES OF ONTARIO, CHAPTER B.13

WHEREAS Section 3 of the Building Code Act, R.S.O. 1990,
Chapter B.13 provides as follows:

3. (1) The council of each municipality is responsible for the enforcement of this Act in the municipality;
- (2) The council of each municipality shall appoint a chief building official and such inspectors as are necessary for the purposes of the enforcement of this Act in the areas in which the municipality has jurisdiction.

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law 92-094 on the 31st day of March 1992 to provide for the appointment of the Chief Building Official and Inspectors pursuant to the Building Code Act;

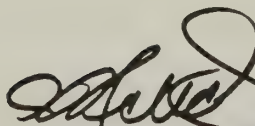
AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 1 of the 13th Report of the Planning and Development Committee, at its meeting held on the 28th day of July 1992, directed that By-law No. 92-094 be amended as hereinafter provided.

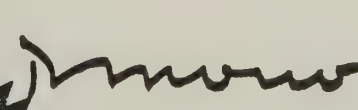
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 9 of By-law 92-094 is amended by adding the name:

Michael Reilly

PASSED this 28th day of July, A.D. 1992.


City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 92- 197

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED WITHIN THE BLOCK BOUNDED BY CANNON STREET EAST,
ELGIN STREET, BARTON STREET EAST AND FERGUSON AVENUE NORTH

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-3 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, the lands comprised in Blocks 1 and 2,

the extent and boundaries of each of which Blocks are shown on a plan hereto annexed as Schedule "A".

2. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11 of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Sections 11(2), 11(3), 18(3) and 18(8) of By-law No. 6593, the maximum building heights above grade, minimum yards and minimum building distance separations shall be provided and maintained in accordance with the attached Schedule "B". Above grade buildings shall be located wholly within the areas outlined by the heavy building envelope lines as is shown on Schedule "B". Building envelopes shall be variable to the maximum distances shown on Schedule "B" provided that the minimum set backs shown on Schedule "B" are met. Minimum set backs shall not be compromised by maximized building envelopes;
- (b) notwithstanding Section 11(5) of By-law No. 6593, a maximum gross floor area of 2.0 times the total area of Blocks "1" and "2" shall be permitted to a maximum of 239 dwellings units in accordance with the attached Schedule "B", provided that a maximum gross floor area of 12,624 square metres shall be permitted on Block "1" and a maximum gross floor area of 7,628 square metres shall be permitted on Block "2";
- (c) notwithstanding Section 11(6) of By-law No. 6593, not less than 40% of each of the area of Blocks "1" and "2" shall be provided and maintained as landscaped area;

(d) notwithstanding Table 1 of Section 18A of By-law No. 6593, the following minimum parking requirements shall apply:

- (i) 1 space per class "A" dwelling unit; and,
- (ii) 0.4 space per Senior Citizens' Dwelling Unit;

(e) for the purpose of this By-law, a Senior Citizens' Dwelling Unit shall mean a separate set of living quarters, operated by a non-profit housing corporation which receives assistance under the National Housing Act or other non-profit housing programs, to provide Rent Geared to Income accommodation for qualifying senior citizens on the subject lands, and which shall include at least one room and separate kitchen and sanitary conveniences with a private entrance outside or from a common hallway or stairway inside;

(f) notwithstanding Table 4 of Section 18A of By-law 6593, one (1) 3.7 metre x 18.0 metre x 4.3 metre loading space shall be provided and maintained on each of Blocks "1" and "2";

(g) notwithstanding any other provisions of By-law 6593, all buildings in Blocks "1" and "2" shall be deemed to be "multiple dwellings".

3. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 3 and 4, the extent and boundaries of each of which Blocks are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding Section 14(1) of By-law No. 6593, no building or structure shall be permitted.

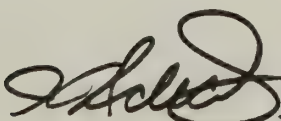
4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E" District provisions, subject to the special requirements referred to in section 2.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1279.

6. Sheet No. E-3 of the District Maps is amended by marking the lands referred to in sections 1 and 3 of this by-law, S-1279.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 28th day of July A.D. 1992.



City Clerk




Mayor

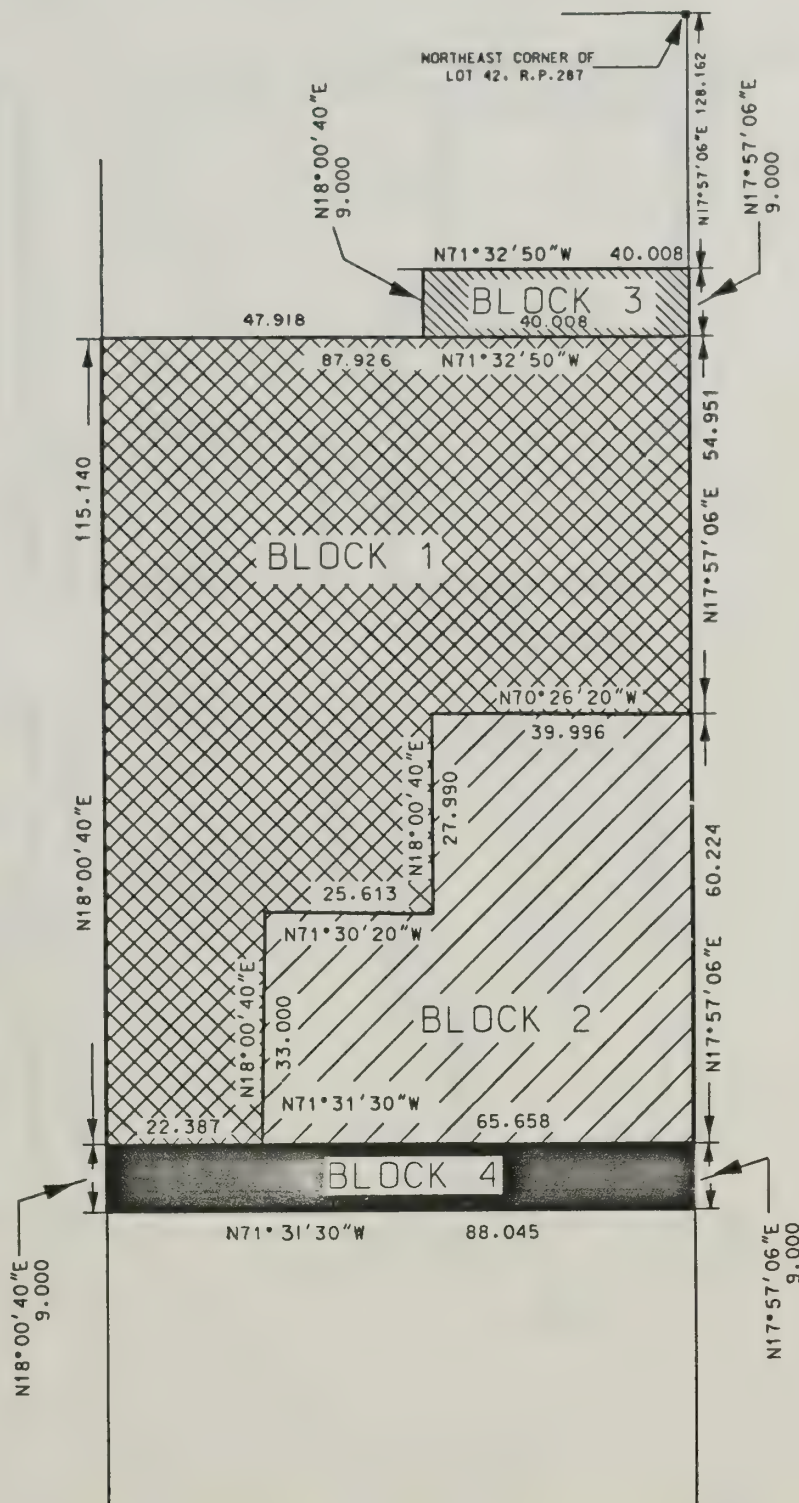
STREET

ENGINE

NORTH

AVENUE

FERGUSON



Sheld

Ammon

Mayor

City of Hamilton Schedule A

**Regional Municipality of Hamilton-Wentworth
Planning and Development Department**

BLOCK 1

BLOCK 2

BLOCK 3

BLOCK 4

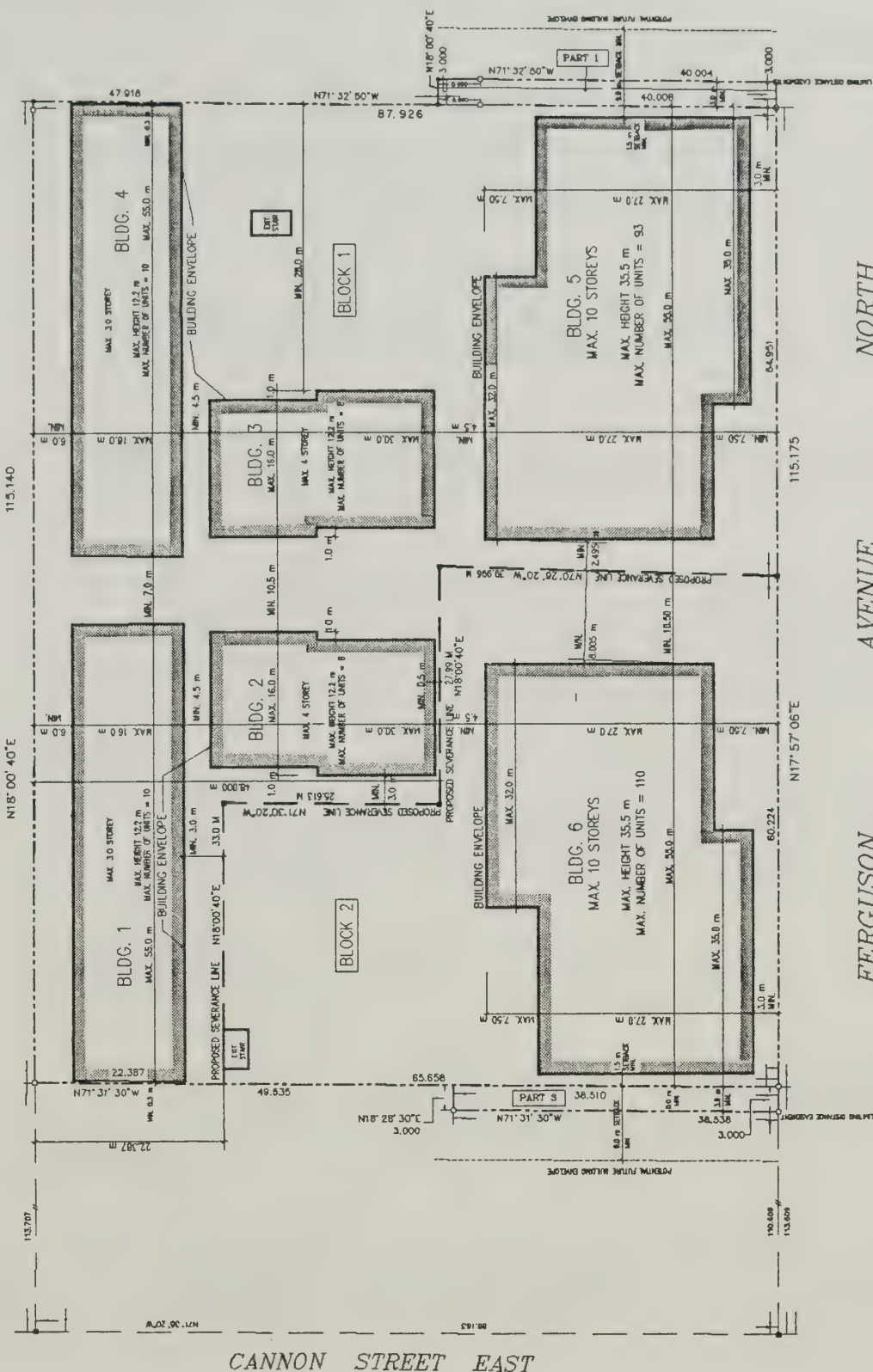
North



Drawn By
T. A.

STREET

ELGIN



NOTE: All dimensions are in metres

This is Schedule "B" to By-Law No. 92-197
Passed the 28th day of July, 1992.

[Signature]

Clerk

[Signature]

Mayor

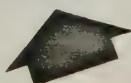
City of Hamilton
Schedule B
Map Forming Part of
By-Law No. 92-197
to Amend By-Law No. 6593
Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



BUILDING ENVELOPES

North



Scale
NOT TO SCALE

Date
JULY, 1992

Reference File No.
ZA-91-61

Drawn By
E.C

The Corporation of the City of Hamilton

BY-LAW NO. 92- 198

To Authorize:

REPLACEMENT OF POOL FILTRATION SYSTEM -
JIMMY THOMPSON POOL

WHEREAS the Ontario Municipal Board by Order dated the 15th day of June, 1992, (File No. E 920409), approved,

- (a) the replacement of the Pool Filtration System at Jimmy Thompson Pool at an estimated cost of \$250,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures to a maximum of \$250,000.00 for a term not to exceed twenty years by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

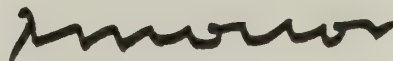
1. The undertaking described as the replacement of the Pool Filtration System at Jimmy Thompson Pool may now be proceeded with in accordance with the Ontario Municipal Board Order dated the 15th day of June, 1992.

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this 28th day of July , A.D. 1992.



City Clerk



Mayor



BY-LAW NO. 92 - 199

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 28TH DAY OF JULY A.D., 1992.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

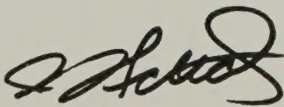
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

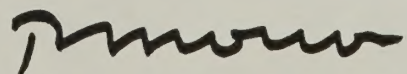
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 28th day of July A.D. 1992



CITY CLERK



MAYOR

ACCOPRESS®



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